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Vol. 49 July 1997 No. 4

CONTENTS

Against the Odds: Retrenchment in Agriculture in France and the United States — *William D. Coleman, Michael M. Atkinson,* and *Éric Montpetit* 453

Domestic Institutions and International Regulatory Cooperation: Comparative Responses to the Convention on Biological Diversity — *Kal Raustiala* 482

RESEARCH NOTE

Human Rights Violations, Umbrella Concepts, and Empirical Analysis — *James M. McCormick* and *Neil J. Mitchell* 510

REVIEW ARTICLES

Bringing in the New World Order: Liberalism, Legitimacy, and the United Nations — *Michael N. Barnett* 526

Internal War: Causes and Cures — *Steven R. David* 552

Index to Volume 49 577

The Contributors ii

Abstracts iii

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ABSTRACTS

AGAINST THE ODDS

RETRENCHMENT IN AGRICULTURE IN FRANCE AND THE UNITED STATES

By WILLIAM D. COLEMAN, MICHAEL M. ATKINSON, and ÉRIC MONTPETIT

This article extends recent work on a comparative theory of retrenchment in social policy by asking whether the politics of retrenchment travels well across policy areas, with policy feedback remaining a crucial variable for explaining government success or failure. The article analyzes policy change in agriculture in the United States and France, a natural choice for an extension of retrenchment theory because agricultural policy resembles social policy in some respects but also provides telling points of contrast. The article finds that the call for new theories focusing on retrenchment is justified: the politics of agricultural retrenchment differs from that of expansion, and success at retrenchment varies by program.

The analysis shows, as well, that retrenchment has been significant both in the U.S. and in France and the European Union. Variations in policy feedback help explain why these policy changes occurred. Moreover, the France-U.S. comparison highlights how systemic institutional factors shape the politics of retrenchment. Finally, focusing on agriculture, a policy sector in which international developments have a greater direct importance than they do in social policy, the article identifies an additional systemic retrenchment strategy: constraining domestic programs through international agreements.

DOMESTIC INSTITUTIONS AND INTERNATIONAL REGULATORY COOPERATION

COMPARATIVE RESPONSES TO THE CONVENTION ON BIOLOGICAL DIVERSITY

By KAL RAUSTIALA

In 1992 governments negotiated a multilateral treaty regime to manage biological diversity. Unlike the United Kingdom, the United States rejected this treaty. Yet both nations were equally at risk from biodiversity loss and equally likely to benefit from its protection. This empirical puzzle is used to explore state choice in regulatory cooperation. Epistemic community analysis helps to explain the onset of negotiations and the contours of debates over regime norms and rules. But state choices, and the regime itself, primarily reflected the regulatory politics of biodiversity management. The international commitments on biodiversity, ostensibly alike for the U.K. and the U.S., had to be implemented through their domestic regulatory structures; the result was a distinct set of domestic ramifications. Electoral incentives and especially domestic institutions influenced both industry and governmental assessments by shaping expectations about the impact of the regime in operation. As states increasingly seek to regulate internationally, domestic institutions and anticipated implementation will play ever greater roles in explaining state choice and, because powerful states are equally influenced by these dynamics, in explaining international outcomes.

HUMAN RIGHTS VIOLATIONS, UMBRELLA CONCEPTS, AND EMPIRICAL ANALYSIS

By JAMES M. MCCORMICK and NEIL J. MITCHELL

In this research note, the authors seek to demonstrate conceptually and empirically that the unidimensional treatment of human rights violations, which is the standard approach found in the literature, confounds two important underlying components of the concept. They argue that the disaggregation of umbrella concepts like human rights violations is an important step in the research process and that it offers significant theoretical and empirical benefits. The specific implications of this conceptual argument for the measurement of human rights violations are drawn out through an empirical analysis of the standard composite scale in terms of its two underlying components. Future research needs to recognize the distortions and information loss produced by unidimensional treatment of the concept and the benefits of disaggregating human rights violations into its important components.

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Bringing in the New World Order

LIBERALISM, LEGITIMACY, AND THE UNITED NATIONS

By MICHAEL N. BARNETT

The end of the cold war and the attendant security vacuum unleashed a flurry of intellectual activity and international commissions that reflected on the world that was being left behind and the world that should be created in its place. The reports under review are among the best and most influential of the lot. This article focuses on three issues raised by these reports. First, the portrait of the new international order offered by these reports is a liberal international order. Second, the concept of legitimacy appears in various guises, and the UN is considered the site for the legitimation of a particular order. Few international orders are ever founded or sustained by force alone, something well understood by the policymakers who drafted these reports and wisely heeded by international relations theorists who attempt to understand their actions and the international orders that they construct and sustain. Third, these reports envision the UN as an agent of normative integration. As such, it contributes to the development and maintenance of a liberal international order by increasing the number of actors who identify with and uphold its values.

Internal War

CAUSES AND CURES

By STEVEN R. DAVID

Since the end of the cold war internal conflicts have received unprecedented attention. Of special interest has been the effort of neorealists to employ an approach traditionally used to explain interstate conflict to make internal war understandable. While neorealism has been useful in explaining the behavior of groups in anarchic conditions, it is inadequate in explaining internal wars occurring in states that retain a strong government and that stem from motives other than power and security. Neorealism also does little to explain how anarchy is created in the first place and what can be done to restore central control. Another approach offers "bad leaders" as a proximate cause of internal war. There is much to this explanation, but more work needs to be done in understanding just what makes leaders "bad" and whether leaders have the latitude to be "good." Finally, the diverse nature of internal wars has frustrated efforts to develop an overall means of settling them. At a point in which armed conflict has become almost exclusively an internal affair, useful generalizations for causes and cures remain elusive.

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AGAINST THE ODDS
Retrenchment in Agriculture in France and the United States

By WILLIAM D. COLEMAN, MICHAEL M. ATKINSON, and ÉRIC MONTPETIT*

THE growth of the modern state has been one of the most popular themes of academic discourse since the end of the Second World War. Patterns of state growth, their impact on ideas of citizenship, and the specific programs of the welfare state have all been topics of intense interest, both academic and popular. So too has been the topic of limits to growth. Critics have identified both fiscal and philosophical crises attendant upon the growth of the modern state. Pointing out that the state performs contradictory functions, operates without an adequate theory of distribution, and has been unable to secure stable growth, these critics forecast, throughout the 1970s and 1980s, the eventual demise of the state. The cutbacks of the 1990s would seem to signal the imminent fulfillment of their prophecies. Governments around the world are scaling back their commitments, particularly those in the realms of social policy—health care, welfare, and education—but also in areas congenial to business interests, including selective subsidies and infrastructure support.

Thus, this seems to be a time of massive retrenchment, despite the popular wisdom that retrenchment is far from easy and that the politics of retrenchment is not, in any sense, identical to the politics of growth. Paul Pierson has made a strong case that "retrenchment is a distinctive and difficult political enterprise . . . in no sense a simple mirror image of welfare state expansion."[1] The welfare state has generated

* An earlier version of this paper was presented at the annual meeting of the Canadian Political Science Association, Brock University, St. Catharines, Ontario, June 1996. The authors would like to thank Wyn P. Grant, Anthony Perl, Grace Skogstad, and Stefan Tangermann for their comments. The research was supported by the Social Sciences and Humanities Research Council of Canada, Research Grant 410–92–0260.

[1] Paul Pierson, *Dismantling the Welfare State? Reagan, Thatcher, and the Politics of Retrenchment* (New York: Cambridge University Press, 1994), 1.

World Politics 49 (July 1997), 453–81

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a set of entrenched and organized interests that benefit directly from programs whose costs are diffused across a wide population, and these can mount effective campaigns against government cutbacks. Moreover, since individuals are risk averse when it comes to political gains, but risk seeking when it comes to political losses, those whose entitlements are threatened are more inclined to act than are those who stand to gain marginally from retrenchment.

The result is that efforts to reduce or terminate programs often encounter spirited opposition. Focusing on Britain and the United States, and later on Sweden and Germany, Pierson shows that housing policy, income maintenance, and pension policy are all areas in which program entitlements were effectively defended by recipients.[2] The much-vaunted Reagan and Thatcher revolutions were, on inspection, much less successful than conventional political lore would have it.

Pierson makes a convincing argument that new theories are needed to explain retrenchment. Certainly his evidence is persuasive that a government bent on retrenchment, rather than expansion, must employ a different arsenal of weapons and then prepare for some significant defeats. But does the politics of retrenchment as developed by Pierson travel well across policy areas? Is policy feedback—the resources and incentives to group formation and activity created by policies themselves and the processes that follow from the implementation of policies—a crucial variable for explaining government success or failure? Are there strategies that governments can employ to avoid having to confront entrenched interests directly?

This article provides further research on a comparative theory of retrenchment by taking up these questions in the context of agricultural policy in the United States and in the European Union (EU), focusing on France in particular. The U.S. remains the world's primary agricultural power, while France is the world's second leading agricultural exporter and the strongest agricultural producer within the EU. Agricultural policy is a natural choice for an extension of retrenchment theories because it resembles social policy, where most studies have concentrated, yet also provides some telling points of contrast.

Although agricultural programs are seldom thought of as elements of the welfare state, they are in fact similar to social welfare policies, having arisen in most countries in response to severe failures of market mechanisms, particularly during the 1920s and 1930s. Agricultural

[2] Ibid.; and Pierson, "The New Politics of the Welfare State," *World Politics* 48 (January 1996).

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programs have protected farmers' incomes and standards of living in ways that parallel the protections afforded others who are dislocated by the market. In fact, the idea of parity between farmers' incomes and equivalent wage earners in the city has figured prominently in French policies and indirectly in U.S. policies.[3]

Where agricultural policies differ from conventional social welfare programs, however, is that they do not support most members of the mass public. Rather, they are targeted to a much smaller group—farmers. They also depart from social policies in that their recipients constitute a smaller (and declining) proportion of the electorate than do beneficiaries of social welfare policies. These factors combine to make farm producers, through their interest groups, formidable defenders of farm programs. Retrenchment in agriculture would appear to be every bit as difficult, if not more so, than retrenchment in other areas of social policy.

We begin with some suggestions for refining the retrenchment concept itself. We then review attempts at retrenchment in the EU/France and the U.S. and reach conclusions that support Pierson's thesis: change has been difficult to achieve and retrenchment varies by program. We find nonetheless that significant retrenchment did take place, against the odds, in both settings, and we suggest that particular combinations of systemic institutional factors and of policy feedback help us to explain how it occurred. When interest groups are highly fragmented and restricted to pressuring pluralist policy networks, they are less able to defend programs than those that are vertically integrated and engaged in corporatist networks. Political will in the form of ideological commitment to neoliberalism accentuates this difference. Finally, domestic-level interest groups find that their capacities to defend program entitlements are further limited when retrenchment is being pushed at a supranational level. The internationalization of public policy can change the political context at the domestic level and thus represents an additional avenue of systemic retrenchment. These conclusions are based on a close analysis of changes in programs, the use of an excellent secondary literature, and interviews conducted in the U.S. and Europe in 1994 and 1995, respectively.

[3] For some of the varying meanings of parity in the U.S., see Judith Goldstein, "The Impact of Ideas on Trade Policy: The Origins of U.S. Agricultural and Manufacturing Policies," *International Organization* 43 (Winter 1989), 35–47; and Douglas Bowers, Wayne Rasmussen, and Gladys Baker, *History of Agricultural Price-Support and Adjustment Programs, 1933–84* (Washington, D.C.: United States Department of Agriculture, 1984). For France, see Marcel Gervais, Marcel Jollivet, and Yves Tavernier, *La fin de la France paysanne depuis 1914* (Paris: Éditions du Seuil, 1977), 635–36.

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The Politics of Retrenchment

We define retrenchment in agriculture as changes in policy that move state-society relations from a state-assisted paradigm toward a market-liberal one.[4] Among the central tenets of this paradigm is the view that agriculture should be treated as an economic sector like all others, not one with unique problems deserving of special state intervention. The paradigm continues: Producers should derive their incomes from competitive markets, in which only supply and demand determine prices; if their "business" fails, they should be treated no differently than are other citizens in similar circumstances. And only those who can survive on the free market should remain active in agriculture. Finally, although farming has its risks, so does any other business; therefore producers, not the state, should bear the responsibility for protecting themselves against loss of income due to natural conditions.

Pierson suggests two approaches by which governments can bring policy closer to this market-liberal model: *systemic* and *programmatic retrenchment*. Systemic retrenchment seeks to change the context in which decisions are made so as to encourage cutbacks and program changes. As that context is overtly political, this approach involves increasing one's own political influence or diminishing the influence of one's opponents. Pierson suggests that governments bent on systemic retrenchment seek to change public opinion, constrain the flow of funds to future governments, change the institutional rules of the game, or limit the role of interest groups that support the beneficiaries of social welfare programs.[5] To prepare the ground for cutting back the state's role, governments target real and potential political opponents, rather than programs themselves.

Programmatic retrenchment, by contrast, is aimed directly at reducing the level of support for, or changing the nature of, ongoing programs. This is a politically risky strategy, however, as direct attacks on programs stimulate immediate opposition from clientele groups. For that reason, few attacks are direct, and blame avoidance is the order of the day.[6] To hide the effects of cuts to programs, governments seek to disrupt or disguise the causal chains that lead from de-

[4] For more analysis of the differences between these two paradigms in agriculture, see W. D. Coleman, Grace Skogstad, and Michael M. Atkinson, "Paradigm Shifts and Policy Networks: Cumulative Change in Agriculture," *Journal of Public Policy* 16 (October–December 1996).

[5] Pierson (fn. 1), 15.

[6] R. Kent Weaver, "The Politics of Blame Avoidance," *Journal of Public Policy* 6 (October–December 1986).

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cisions to cutbacks,[7] thus lowering the visibility and traceability of negative consequences.

Because retrenchment unfolds over time, some further refinements in the classification of policy changes are called for. *Specific programmatic retrenchment* entails a change to one particular program that deliberately and openly moves policy in a market-liberal direction. *Encompassing programmatic retrenchment* refers to a policy change that dismantles or reconfigures a host of programs at once, bringing them all closer to the requirements of the market-liberal paradigm. Some changes can affect the likelihood of retrenchment in the future. For these, we propose the following classification. *Disabling reforms* move policy away from market liberalism. *Neutral reforms* are designed to improve the attainment of existing policy objectives, without moving policy toward or away from the market-liberal paradigm. *Enabling reforms* are changes in programs that do not immediately shift policy in a market-liberal direction but that make a policy more vulnerable to retrenchment in the future.

These distinctions are necessitated by the fact that programmatic retrenchment is often a lengthy and uncertain process in which reversals are not altogether unexpected and progress is incremental. They help the analyst to track the impact of a complex series of policy changes played out over a number of years. Some programs are also more central than others to the aims of retrenchment advocates because they offend the market-liberal model much more directly.

The analysis demonstrates that the relationship between programmatic and systemic retrenchment is complex. Systemic retrenchment can kill programs by starving them of funds over time, or it can provoke fundamental programmatic changes as those directly responsible attempt to cope with the changed context. Our analysis shows that the politics of retrenchment often involves two- or even three-level games, in which broad agreements imposed at the international level, for example, might stimulate programmatic retrenchment at the national level. This kind of strategic interaction can also occur between national and subnational levels in federal systems or even between horizontal legislative bodies (for example, budget committees) and sectoral legislative committees. The successful deployment of systemic retrenchment will thus depend, in part, on the degree to which institutional rules give decision makers the capacity to use macrolevel games to effect microlevel solutions.

[7] Douglas Arnold, *The Logic of Congressional Action* (New Haven: Yale University Press, 1990).

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International Factors, Fiscal Pressures, and Systemic Retrenchment

By the early 1990s a political coalition of neoliberal ideologues and proponents of fiscal rectitude in both the EU and the U.S. had begun another push for agricultural retrenchment. The drive was sustained by two distinct processes of systemic retrenchment that changed the context in which agricultural policy decisions were made: the inclusion of agriculture in renewed world trade negotiations and the increase in domestic budgetary deficits.

Already in 1982, as part of its ministerial trade mandate, the OECD had asked its Committee on Trade in Agriculture of the GATT to study measures for reducing protection in agriculture in order to integrate agriculture more fully into the world trading system. When the new GATT round opened in Punta del Este, Uruguay, in 1986, the declaration stated inter alia that "negotiations shall aim to achieve greater liberalization of trade in agriculture and bring all measures affecting import access and export competition under strengthened and more operationally effective GATT rules and disciplines."[8] The following year the OECD work culminated in a ministerial agreement on principles for policy reform in agriculture that represented a clear commitment to move toward a market-liberal paradigm.

International trade discussions normally take place in policy communities somewhat distant from those focusing upon domestic agricultural policies. If international negotiations are used as a means to create pressure on these closed domestic policy communities, then the context may change in favor of retrenchment. Certainly the original EC proposal to the GATT agricultural table was a conscious attempt by the commission to move policy reform outside of the narrower agricultural policy community.[9] Sufficient differences in opinion among EU members opened the way for such a political step.[10] In the U.S. the Reagan administration had proposed a farm bill in 1985 that would have scaled back government involvement in agriculture significantly. When it failed, advocates of agricultural retrenchment saw some advantage to

[8] Organization for Economic Cooperation and Development (OECD), *The Uruguay Round: A Preliminary Evaluation of the Impacts of the Agreement on Agriculture in the OECD Countries* (Paris: OECD, 1995), 11.

[9] H. Wayne Moyer and Timothy E. Josling, *Agricultural Policy Reform: Politics and Process in the EC and the USA* (New York: Harvester Wheatsheaf, 1990), 190; John T. S. Keeler, "Agricultural Power in the European Community: Explaining the Fate of the CAP and GATT Negotiations," *Comparative Politics* 28 (January 1996).

[10] For a discussion of these differences, see Lucien Bourgeois, *Politiques agricoles* (Paris: Dominos/Flammarion, 1993), 91–93.

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pursuing systemic retrenchment through negotiations on the international plane.[11] Consequently, the GATT negotiations, in putting constant pressure on EU and U.S. policy-making from 1987 on, were the front line of systemic retrenchment.

Decision makers in both the EU and the U.S., alarmed by rising budget deficits, seized the opportunity to open a policy window for retrenchment and sought to restrict funding for agricultural programs.[12] Already the largest single component of the EC budget, spending on the Common Agricultural Policy rose significantly in the 1980s, prompting the introduction of milk quotas in 1984 and budgetary "stabilizers" for cereals and other commodities in 1988. These measures had only a short-term impact, however, and finance ministers faced a new budget crisis looming on the horizon in early 1991.[13] In anticipation, the commission's directorate general for agriculture prepared a paper containing a set of retrenchment proposals designed as defensive measures to preserve the CAP. Similarly, budget deficits began to rise sharply in the U.S. during the Reagan presidency as a result of reduced taxes and increased defense expenditures. When payouts for agriculture increased following the 1985 farm bill, politicians concerned with the budgetary shortfall began targeting agricultural programs. Following the 1990 farm bill, reducing agriculture expenditures became a fact of life. By the early 1990s systemic retrenchment in the form of reducing funds available to agriculture and the pressure from the international forum set the stage for significant programmatic retrenchment.

Programmatic Retrenchment in the European Union and France

Important reforms of EU and French agricultural programs were to come after the Uruguay Round negotiations became fully engaged in the late 1980s. To assess the extent of retrenchment as it affected French agriculture, four interlinked sets of policies need to be considered: the May 1992 MacSharry reforms to the Common Agricultural Policy (CAP), the Blair House/GATT agreement between the EC and the U.S. later the same year, the 1993 revisions to the Blair House accord, and the January 1995 Loi de modernisation de l'agriculture passed by

[11] Robert Paarlberg, "How Agriculture Blocked the Uruguay Round," in William Avery, ed., *World Agriculture and the GATT* (Boulder, Colo.: Lynne Rienner, 1993), 41.

[12] As Pierson (fn. 2) has hypothesized, budget crises create policy windows for retrenchment (p. 177).

[13] H. Wayne Moyer, "The European Community and the GATT Uruguay Round: Preserving the Common Agricultural Policy at All Costs," in Avery (fn. 11), 112.

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the Assemblée Nationale in France. Taken together, these policy changes represent some movement toward the market-liberal model.

The MacSharry Reforms to the CAP

In December 1990 the Uruguay Round negotiations of the GATT were suspended, following the failure of the world's major economic powers to come to an agreement on an agricultural trading regime. The EC proposal to the GATT differed significantly from proposals put forth by the U.S. and the Cairns Group in that it was less willing to engage in retrenchment. Moreover, modest though the retrenchment offered by the EC was, had it been accepted by the other parties to the GATT discussions, it would have been incompatible with the CAP.[14] By 1991, however, the accumulating pressures coming from the GATT Round added to the CAP's continuing budgetary difficulties and pushed the EC toward reform.

Change then came relatively quickly. The commission published a "Reflections" document in February 1991;[15] Roy MacSharry, the agriculture commissioner, followed up with concrete proposals for change in July 1991;[16] and final agreement was reached on these proposals ten months later, in May 1992. France experienced strong public opposition and entered fully into the negotiations only toward the very end and signed an agreement that, in effect, tried to balance the demands of its market-liberal (grains, sugar) and supply-management (livestock, dairy) camps.[17]

The major changes to the CAP are summarized in Table 1. The most important programmatic retrenchment involved lowering support prices for cereals, oilseeds, and proteins, in particular, and for beef over the period 1993–96, bringing them close to prices anticipated on the world market. The markets for oilseeds and protein crops were also reorganized, leading to an even more immediate price drop to close to world levels.[18] The policy retained, however, the traditional (and non-

[14] Stefan Tangermann, "An Ex-Post Review of the 1992 MacSharry Reform" (Paper presented at the conference, "CAP Reform: What Next?" Nottingham, U.K., March 1996).

[15] Commission of the European Communities (CEC), The Development and Future of the CAP, COM (91) 100 Final, "Communication of the Commission to the Council: The Development and Future of the CAP, Reflections Paper of the Commission" (Luxembourg: Office of Official Publications of the European Communities (OOPEC), 1991).

[16] CEC, *The Development and Future of the CAP,* Follow-up to the Reflections Paper COM(91)100 of 1 February 1991, COM(91)258/3 (Brussels: CEC, 1991).

[17] For a discussion of these political divisions, see Hélène Delorme, "French Agricultural Policy Objectives: Historical Context and Current Issues," in R. Kjeldahl and M. Tracy, eds., *Renationalisation of the Common Agricultural Policy?* (Leuven: Institute of Agricultural Economics, Copenhagen and Agricultural Policy Studies, 1994).

[18] William Neville and Francis Mordaunt, *A Guide to the Reformed Common Agricultural Policy* (London: Estates Gazette, 1993), 18.

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TABLE 1

SUMMARY OF POLICY CHANGE IN THE EU AND FRANCE

Old Policy	*New Policy*	*Type of Change*
1. Common Agricultural Policy		
support prices for cereals, oilseeds, peas and beans, and beef high relative to world market prices	support prices for cereals, oilseeds, peas and beans, and beef *lower* relative to world market prices	specific programmatic retrenchment
income support derives principally from price supports and is thus tied directly to production levels	income support derives principally from area compensatory payments based on land cultivated and rates fixed relative to support prices	enabling reform
production supply modulated by budgetary "stabilizers" for cereals	production supply modulated by set asides for cereals	neutral reform
supply of milk controlled by quotas	supply of milk controlled by lowered quotas for milk	neutral reform
2. Blair House I, 1992	*Applies to EU and U.S.*	
base total aggregate measure of support not subject to any agreement	base total aggregate measure of support to be reduced by 20% over period 1994–2000	encompassing programmatic retrenchment
EC and U.S. have domestic programs that couple support to production, thus judged "trade distorting"	direct payments under production-limiting programs made on the basis of fixed area and yield or number of head of livestock are exempted.	
no particular agreement on agricultural nontariff barriers	all tariffs are bound, nontariff barriers converted into bound duties, no new nontariff barriers to be introduced.	encompassing programmatic retrenchment
	newly bound tariffs and formerly bound tariffs to be reduced by 36% with a minimum rate of reduction of 15% per tariff line	

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TABLE 1 (*cont.*)

Old Policy	*New Policy*	*Type of Change*
no agreement on minimum access	export countries to have minimum access to 3% rising to 5% of domestic markets	systemic retrenchment
no agreement on export subsidies	reduction in expenditure on export subsidies of 36% and of quantity of subsidized exports of 21%	encompassing programmatic retrenchment
3. Blair House II, 1993	*Applies to EU and U.S.*	
	base for export subsidies could be calculated using either the 1986–88 period or the 1990–91 period	disabling reform
4. Loi de modernisation de l'agriculture, 1995		
favours individual and family farms over corporate farms	favors *less* individual and family farms over corporate farms	specific programmatic retrenchment
seeks to support the installation of between 6,000 and 7,000 new farmers per year	seeks to support the installation of 13,000 new farmers per year	neutral reform
seeks to lower the costs for the establishment and expansion of competitive farming businesses	seeks to lower *further* the costs for the establishment and expansion of competitive farming businesses	specific programmatic retrenchment

liberal) CAP objective of assuring farmers an equitable standard of living. Thus, they were compensated for the loss of income from lower prices with area compensatory payments. In an attempt to encourage "extensification" of production, however, these payments were decoupled from production decisions more fully than previous supports had been, being based upon hectares cultivated rather than volume produced. The change in policy instruments from price supports to direct payments to farmers was an *enabling reform* because it weakened the link between payments and production and made the transfers from consumers/taxpayers more visible and thus more vulnerable to subse-

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quent political attack. These compensatory payments, in turn, were contingent upon larger producers agreeing to set aside initially 15 percent of their cultivated lands. This neutral reform involved a renewed attempt to control supplies of grains, oilseeds, and proteins following earlier unsuccessful attempts to control supply by means of budget "stabilizers."[19]

The EC-U.S. Blair House Pre-GATT Agreement and the GATT Agreement

The reductions in intervention prices, the use of direct payments, and the introduction of set asides represented a significant move to harmonize EC and U.S. policy and thereby opened the door to a GATT agreement on agriculture.[20] Based on a draft text of an agriculture agreement prepared by Arthur Dunkel, GATT secretary-general, negotiations between the Community and the U.S. began in the summer of 1992. The agreement reached at Blair House in Washington in November contained the key provisions later to become part of the GATT agreement, plus several bilateral understandings. The principal components of the agreement summarized in Table 1 relate to domestic support, access to domestic agricultural markets, and export subsidies.

First, there would be a reduction in total aggregate support. These reductions were not to be made on a *product-by-product* basis as originally envisaged by Dunkel and demanded by the U.S., but according to the *aggregate* as suggested by the EC,[21] substantially diluting retrenchment. The agreement also stipulated that the new area compensatory payments of the CAP and the deficiency payments introduced in the 1985 U.S. farm bill were to be *exempt* from calculating the level of aggregate support. Despite these qualifications, retrenchment would nevertheless occur through decrementalism:[22] since the cap on future support is stated in nominal prices, it is likely to erode over time with modest inflation.[23] In addition, countries cannot add any new domestic policies that link support to production.[24] Future policy instruments are

[19] See Wyn P. Grant, "The Limits of Common Agricultural Policy Reform and the Option of Renationalisation," *Journal of European Public Policy* 2 (March 1995), 3. We classify the change in milk quotas the same way, seeing it as an attempt to do a better job lining up supply with demand.

[20] See Hélène Delorme, "L'accord de Marrakech: Du conflit à la coopération entre l'Union Européenne et les États-Unis," *Économie Rurale* 226 (1995), 31–34; Tangermann (fn. 14).

[21] Hélène Delorme, "Le volet agricole de l'Uruguay Round: Une nouvelle régulation mondiale?" *Économie Rurale* 218 (1993), 8.

[22] Pierson (fn. 1), 20–22.

[23] The agreement on domestic support does not have a large immediate impact on the EC or the U.S.; most commitments were already reached by 1995. See OECD (fn. 8), 40.

[24] Stefan Tangermann, "An Assessment of the Uruguay Round Agreement on Agriculture" (Paper prepared for the Directorate for Food, Agriculture and Fisheries and the Trade Directorate of the OECD, 1994), 39.

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limited to those "nondistorting" measures specified in Annex II of the agreement.

Second, in order to increase market access in the longer term, the signatories to the agreements committed themselves to retrench by converting nontariff barriers to trade to bound tariffs. This change is the single most demanding in terms of the extent to which it requires policy adjustments.[25] Although these new tariffs will be so high as to preclude any immediate change, they are more predictable and provide a common metric to facilitate additional retrenchment in future negotiations.[26] Complementing the tariff provisions is a guarantee to exporters of access to 3 percent of domestic markets, with that figure rising to 5 percent over the implementation period. Finally, the measure likely to have the most immediate direct impact on markets and trade is the provision for a reduction in volume and value of export subsidies.[27]

Blair House II, 1993

Many agricultural producers, already unhappy with the changes to the Common Agricultural Policy, were even more upset with the prospective GATT agreement. They took to the streets in many European cities, including in France, where a new coalition of the right swept to a victory in parliamentary elections in March 1993. Faced with intense political pressure from a traditional friend, the Fédération nationale des syndicats d'exploitants agricoles (FNSEA), the new government insisted on a resumption of negotiations between the Americans and the Europeans. In December 1993 these two economic giants agreed on revisions to the original Blair House agreement, in effect making a tactical retreat from the original retrenchment objectives (see Table 1).[28]

The Loi de modernisation de l'agriculture, January 1995

It was evident that over the medium term European, and thus French, agriculture would move closer to the market-liberal model. The implications of this change for the structure of French agriculture became a matter of intensive discussion in the period following the GATT agree-

[25] Ibid., 24.

[26] "Countries will no longer be able to initiate quantitative import restrictions, variable import levies, minimum import prices, discretionary import licensing, nontariff measures maintained through state trading, voluntary export restraints or similar measures"; OECD (fn. 8), 33.

[27] Ibid., 46.

[28] For example, negotiators agreed that the base period for calculating reductions to export subsidies could be either 1986–88 or 1990–92. Since export subsidies were higher in both the EC and the U.S. in the latter period, the overall reduction in subsidies ends up being significantly smaller than originally envisaged. Delorme (fn. 17), 54; OECD (fn. 8), 86–87.

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ment. The two principal camps in French agriculture, the liberals and the supply-management school, continued to differ over what kind of structural policy was needed in the new era.[29] Both camps agreed that the government would need to intervene to encourage new farmers, given that many marginal producers would fall by the wayside in the more market-liberal world. Both agreed as well that the government should make early retirement more attractive so as to free up land for the younger, more competitive producers who remained. They differed, however, over the role of the government in keeping agricultural lands occupied. The liberals argued that this objective would be achieved automatically if governments lowered the costs of starting up and maintaining an agricultural business. The supply-management group countered that government policies had to balance economic viability with the need to keep the countryside populated.

With the passage of the Loi de modernisation de l'agriculture (LMA) in January 1995, the revised government policy built on the common concerns of the two camps while giving a slight additional edge to the liberals.[30] First, the government set for itself the objective of assisting thirteen thousand young farmers per year to establish themselves in the sector, a doubling of previous levels of support. Second, interested in ensuring that France would have all the necessary tools for a competitive agriculture sector, the government introduced a series of measures to make it easier for farmers to change their legal status to that of a corporation. Finally, the government sought to lower further the costs of doing business as a farmer (see Table 1).

SUMMARY

Significant policy retrenchment has taken place in the European Union and France over the past six years. The income-support system for the core commodities of cereals and beef has been revised to be less dis-

[29] Delorme (fn. 17) classifies French farmers into three groups. Many of the cereal and sugar producers in the north had considerable sympathy for the market-liberal position of the UK and its allies. A second group drawing principally from the dairy and livestock sectors embraced more controls over production and price and were termed the quantitative group by Delorme. Normally, the FNSEA represented this position. Finally, there were many smaller producers in the Massif Central and the south of France who sought even more state protection and were the most strongly opposed to CAP reform and the GATT agreement. Weaker than the first two groups, their interests were defended by various organizations including the Confédération paysanne.

[30] The summary description of the LMA that follows is based upon France, Ministère de l'agriculture, de la pêche, et de l'alimentation, "La loi de modernisation de l'agriculture," *Bima* 1430 (1995); and on the analysis of the bill provided by the Chambres d'agriculture: Assemblée permanente des chambres d'agriculture, "La loi de modernisation de l'agriculture, 1. Le cheminement d'un projet, 2. Orientation des productions, emploi et protection sociale," *Chambres d'agriculture* (August–September 1995); and "La loi de modernisation de l'agriculture. 3. Entrepreise agricole, gestion de l'espace," *Chambres d'agriculture* (January 1996).

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torting of production and trade under market conditions; and declining prices have come closer to world levels. Transfers to agricultural producers are now more visible, coming from taxpayers rather than consumers of food. The idea of Community preference has been weakened through the conversion of nontariff barriers into tariffs, the lowering of export subsidies, and the provision of minimum guaranteed access to Community markets. The way to market liberalism is less obstructed than before.

Nor should the extent of change be exaggerated. The reforms do not represent any decrease at present in transfers to farmers, and the second Blair House agreement took some of the sting out of the reduction in export subsidies over the medium term and watered down the minimum access provisions. Dairy production continues to operate under a highly regulated quota system, while tariffs for all products have been set at remarkably high levels.

Programmatic Retrenchment in the United States

Shortly after his election in 1980, President Ronald Reagan and his advisers made proposals for the 1981 farm bill that would move agricultural policy significantly in a market-liberal direction. Success was minimal. They tried again after the 1984 election with proposals for the 1985 farm bill. These too largely failed. Agricultural spending rose further during the late 1980s, increasing the political vulnerability of commodity programs. Following the 1994 elections the stage was set for a more concerted attempt at systemic and programmatic retrenchment by a now Republican-controlled, more neoliberal Congress.[31]

In the lead-up to the 1995–96 farm bill, the Congressional Budget Office again calculated the cuts needed to meet budgetary guidelines, producing the figure of $13.4 billion for the seven-year period 1996–2002. The prospect of such systemic retrenchment shaped thinking on programs, culminating in an August 1995 proposal entitled "Freedom to Farm" by Pat Roberts, chairman of the House of Representatives Agricultural Committee.[32] After discussions in both the

[31] Orden argues that partisan differences between Republicans and Democrats had always existed but that they were not visible because of the long-standing dominance of the Democrats in Congress. See David Orden, "The 1996 Farm Bill: What Happened? Why Did It Happen? Will It Last?" (Manuscript, Blacksburg, Va., 1996).

[32] The term "freedom to farm" appears to have a long pedigree in Republican politics. Ezra Taft Benson, Eisenhower's secretary of agriculture, used the term to summarize his opposition to Democratic proposals for price support at his confirmation hearings in 1953. See John Mark Hansen, *Gaining Access: Congress and the Farm Lobby, 1919–1981* (Chicago: University of Chicago Press, 1991), 128. After Benson retired, he wrote a book with the phrase as the title; Benson, *Freedom to Farm* (Garden City, N.Y.: Doubleday, 1960).

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House and the Senate, and a budget conflict between the president and the Congress, the farm bill process moved forward and culminated in the Federal Agriculture Improvement and Reform (FAIR) Act signed by the president on April 4, 1996.

Goldstein notes that if new ideas are to take hold, they must "fit" with the changing "economic and political needs of central decision makers."[33] Freedom to Farm fulfilled this condition brilliantly: it continued to pay farmers (and pay them well) in an election year, but it also severely undermined the old protectionist logic. The most significant programmatic retrenchment came in changes to the commodity programs for wheat, feed grains, cotton, and rice. Under the new program for these commodities, producers enter into *production flexibility contracts* through which payments no longer vary with the market prices. Rather, they are calculated based on legislated outlays for each year between 1996 and 2002. The amounts allocated were fixed at $5.57 billion in 1996, rising to $5.8 billion in 1998 (another election year), and then declining to $4.008 billion in 2002.[34] Retrenchment derives not only from projected reduced support, however, but also from the *full decoupling* of these payments from planting decisions. Program participants now have the freedom to plant 100 percent of their total contract acreage with almost any crop (there are some limitations on fruits and vegetables). Further freedom is provided with the elimination of acreage reduction programs (although conservation reduction programs were retained, albeit with acreage capped). Hence, producers are free to respond to market signals rather than to government programs in making decisions on what to plant. And payments are no longer contingent on producers controlling supply by setting aside some productive land.

Dairy policy was dealt with outside Freedom to Farm, so retrenchment was more symbolic than real.[35] But dairy price supports had already declined in significance because of higher market prices in the 1990s.[36] The removal of production assessments left dairy farmers somewhat freer to increase production, but these examples of limited programmatic retrenchment coexist with no significant changes in the tariffs sheltering domestic prices, with slight reforms of the federal marketing orders, and with the possibility of a new protectionist re-

[33] Goldstein (fn. 3), 32.

[34] These payment levels were expected to achieve the savings of $13.4 billion from projected costs for commodity programs if the 1991 farm bill had been extended.

[35] Sion Roberts, "U.S. Farm Bill: The Dairy Sector," National Farmers Union 21 (May 1996).

[36] Bruce L. Gardner, "Practical Policy Alternatives for the 1995 Farm Bill," in Daniel A. Sumner, ed., *Agricultural Policy Reform in the United States* (Washington, D.C.: AEI Press, 1995), 56.

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gional compact in the New England states.[37] Moreover, support prices for dairy products are scheduled to fall further between 1996 and 1999, when price supports are to be replaced by a recourse loan program.

For many policymakers who see direct payments to farmers ending in 2002, the FAIR Act is viewed as a set of transitional arrangements that will usher in a new market-liberal order that virtually eliminates state intervention. To prepare for this new order, the lawmakers created the Commission on Twenty-first Century Production Agriculture. Composed of eleven members appointed by the president and of the chairs of the respective congressional agricultural committees, the commission is first to assess the various provisions of the FAIR Act and subsequently to "conduct a comprehensive review of the future of production agriculture in the United States and the appropriate role of the Federal Government in support of production agriculture. The review shall include the . . . identification of the appropriate future relationship of the Federal Government with production agriculture after 2002" (sec. 183[b]).

In summary, the 1996 U.S. retrenchment plan appears to be a more serious effort than has been seen in a very long time. Legislated caps on program payments constitute systemic retrenchment by defining in global terms the rate at which funds for agriculture will decline. Program changes in several key commodities have followed GATT guidelines closely and sought to decouple income supports from production decisions. Although the Export Enhancement Program and the Dairy Incentive Export Program remain in place, these are bound by the admittedly generous limitations set out in the GATT agreement (see Table 1). The executive and legislative branches have committed themselves in law to a comprehensive review of the role of the state in agriculture as a prelude to expected further changes in 2002. The U.S. has also armed itself with an important new weapon to use against the EU when world trade discussions resume in 2000.[38] These developments indicate clearly the growing willingness of policymakers to consider an end to state assistance in agriculture.

Policy Feedback and Agricultural Retrenchment

In reviewing the changes to agricultural policy in the United States and France, we find significant retrenchment in both settings. Consistent

[37] See section 147 of the FAIR Act.

[38] Deborah Hargreaves, "U.S. Farm Act 'Puts EU under Pressure,'" *Financial Times*, June 28, 1996.

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with Pierson's examination of social welfare policy, however, retrenchment has been difficult to achieve and the accomplishments have been uneven. In seeking to explain the difficulty, Pierson employed the concept of policy feedback. In this section we extend the exploration of this concept by examining how retrenchment was possible at all.

A casual observer of Tables 1 and 2, admittedly, might conclude that retrenchment has progressed further in the United States. Certainly, the full decoupling of support from production and the removal of supply controls (set asides) brings the U.S. closer than either France or the EU to the market-liberal paradigm in an absolute sense. In relative terms, however, U.S. policy was closer to market liberalism in the first place. In taking the steps they did, both political systems retrenched their agricultural policies further than at any time since the state-assisted paradigm was institutionalized in the 1930s. We focus now on the question: how was such significant retrenchment possible?

We examine two types of explanations, both based on policy feedback. First, we consider whether incremental changes over the years had left the respective programs with structural properties that made them susceptible to change. Second, we look at differences in institutional variables, notably ideological commitment to retrenchment and the structure of interest association systems. We argue that systemic factors in both political systems reduced the influence of producer groups, opening the door to more retrenchment than might have been expected. We conclude by noting that as decision making shifts to the international level, domestic-level producer groups in EU member states appear to be further hampered in their efforts to fight retrenchment.

Individual Program Structures

In thinking about how the specific characteristics of programs might create feedback discouraging policy change, we focus first on mass publics. Borrowing from Arnold, Pierson suggests that the visibility and traceability of policies will condition the response of mass publics.[39] *Visibility* refers to whether a program produces a discernible outcome that leads to its being noticed and questioned. *Traceability* refers to whether these visible outcomes can be linked to government policy and, if so, to someone who can be credited or blamed for the outcome. If feedback from mass publics is a critical variable, then the visibility and traceability of programs has to have evolved considerably in agricultural programs.

[39] Pierson, "When Effect Becomes Cause: Policy Feedback and Political Change," *World Politics* 45 (July 1993), 621–22.

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TABLE 2

SUMMARY OF POLICY REFORM IN THE UNITED STATES OF AMERICA

Old Policy	*New Policy*	*Type of Change*
1. Wheat, feed grains, cotton, rice		
income support derives principally from deficiency payments based on eligible acreage and the gap between a target price and market prices; payments are not capped and rise and fall depending on market prices	income support derives from *production flexibility contracts* with payments *capped;* variations in market prices no longer affect payments	specific programmatic retrenchment
deficiency payments slightly decoupled from production decisions	deficiency payments *fully* decoupled from production decisions	specific programmatic retrenchment
acreage reduction programs and conservation reserve programs place limits on what participants could plant in any single crop	ARPs eliminated; CRPs capped	specific programmatic retrenchment
additional price support available through nonrecourse CCC loans and loan deficiency payments	additional price support remains available through nonrecourse CCC loans and loan deficiency payments	little change
2. Dairy		
price support provided through government purchases of butter, nonfat dry milk, and cheese	1996–99: price support continues, with decreases in minimum support prices	specific programmatic retrenchment
	after 1999: price support ends replaced by a recourse loan program	specific programmatic retrenchment
additional producer assessments levied, with refunds available if production remains stable	producers assessments ended	specific programmatic retrenchment
orderly marketing promoted through 33 federal milk marketing orders	orderly milk marketing promoted through 10–14 federal milk marketing orders	neutral reform
no regional compacts permitted	potential exists for creation of a New England dairy compact	disabling reform

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TABLE 2 (*cont.*)

Old Policy	*New Policy*	*Type of Change*
3. Farm Credit		
USDA lending agency provides direct and guaranteed loans as a lender of last resort	USDA lending agency provides direct and guaranteed loans as a lender of last resort a portion of loan funding is reserved for new and beginning farmers	neutral reform
4. Other		
no similar provision	commission established to conduct a comprehensive review of changes to production agriculture, its future, and the appropriate role of the federal government	systemic retrenchment

SOURCE: Preparation of this table was helped considerably by United States Department of Agriculture, "1996 Farm Bill," *Agricultural Outlook Supplement* (April 1996).

Table 3 classifies the various agricultural programs examined in this paper according to their visibility and traceability. Most striking is the rather low visibility of farm programs in both countries. Most distribute benefits to agricultural producers in ways that are not readily noticed by mass publics. For example, price-support programs in dairy affect the prices processors pay producers for milk, a transaction that is virtually invisible to consumers and very difficult to trace to decision makers.

Two important exceptions to this rule are shown in Table 3, however. First, programs that deliver benefits to beginning farmers tend to be more visible because they provide direct payments or loan subsidies. They are also readily traceable to either the Ministry of Agriculture in France or to the Farm Services Agency in the U.S. This finding is not surprising: public opinion in both settings supports keeping farmers on the land and helping out young farm families. These programs survived very well.

The second exception is the income-support programs in the U.S. prior to the 1996 farm bill. These programs provided for direct payments from taxpayers to farmers that were more visible than transfers

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TABLE 3
POLICY FEEDBACK AND MASS PUBLICS

Program	*Visibility*	*Traceability*
1. France/EU		
Price supports	lower	moderate
Budget stabilizers	lower	lower
Dairy quotas	lower	lower
Conversion to corporate farms	lower	higher
New or beginning farmers	moderate	higher
Lowering costs to do business	lower	lower
2. United States		
Income supports and land idling	higher	higher
Commodity Credit Corporation short-term loans	lower	higher
Dairy price supports	lower	moderate
Dairy producer assessments	lower	lower
Dairy marketing orders	lower	higher
Lending to new or beginning farmers	higher	higher
3. United States and EU (GATT)		
Export subsidies	lower	moderate
Conversion of nontariff barriers to bound tariffs	lower	lower

from consumers to farmers. And because these payments tended to go disproportionately to the larger producers, they were often generous and subject to political attack. The income-support system in the U.S. was therefore more vulnerable to political pressure from mass publics than its less visible counterparts in Europe. Though an important facilitating factor, this vulnerability was not new; direct payments had existed since 1985. In short, we are not persuaded that program structures had evolved to the point where they became highly susceptible to attack through the mobilization of mass publics. A more compelling explanation is suggested by an examination of systemic factors, particularly interest-group structure.

POLICY FEEDBACK AND GROUP STRUCTURES

The concept of policy feedback builds on Lowi's classic conclusion: policies produce politics.[40] Particular policies provide incentives and resources that strengthen or weaken different groups; they also affect the daily lives of individuals. Pierson writes that policies may encourage in-

[40] Theodore J. Lowi, "American Business, Public Policy, Case Studies and Political Theory," *World Politics* 16 (July 1964).

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dividuals to adapt in ways that "lock in a particular path of policy development. . . . [T]hey bring about the policy-induced emergence of elaborate social and economic networks that greatly increase the cost of adopting once-possible alternatives and inhibit exit from a current policy path."[41]

Because the U.S. and EU are segmented by commodity, the groups most likely to have a strong incentive to organize and defend price- and income-support policies are those representing producers of these same commodities. Commodity groups enjoyed prominence and power in the U.S. from the late 1950s to the late 1970s,[42] and in France through the 1990s.[43] Basic differences in the structures of interest intermediation would appear to favor stronger resistance from groups and more lock-in effects in France than in the U.S. Because the U.S. associational system has not been highly integrated, it discourages a coordinated producer response to proposed policy changes. Groups also work within pressure pluralist policy networks. By contrast, the French system has been highly integrated, with commodity groups belonging to a dominant peak association. Both the peak association and the commodity groups are viewed as "social partners" of the state and function within corporatist policy networks. This "social partner" position of French groups leaves them very well placed to press their interests. These differences between the U.S. and French systems become less relevant, however, if the peak association in France is unable to broker a common position among commodity groups. Such a failing leaves the field more open to independent lobbying by the commodity interests.

A further systemic factor—the presence of a majority legislative party with a strong commitment to encompassing market liberal reform—reinforced these differences in group structures. The victory of the "radical" Republicans in the U.S. Congress in 1994 opened a policy window for a neoliberal attack on farm programs. By contrast, the return of the right to power in France represented the return of the traditional political allies of the dominant farmers' interest groups and a renewal of corporatist ties to the peak association.

THE UNITED STATES

The Republican class of 1994 was dominated by politicians who questioned the fiscal laxity of governments and their interference with mar-

[41] Pierson (fn. 1), 42.

[42] See Hansen (fn. 32); and William P. Browne, *Private Interests, Public Policy and American Agriculture* (Lawrence: University of Kansas Press, 1988).

[43] Gervais, Jollivet, and Tavernier (fn. 3), 213–17.

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kets.[44] Farm programs were vulnerable on both counts. They were expensive and automatic; in distorting market signals, they thus also distorted the production decisions of farmers. As we have noted, the first attack on these programs took the form of systemic retrenchment: the House Budget Committee announced that $13.4 billion had to be cut from farm programs by 2002. The size of this cut, coupled with neoliberal suspicions about these programs, stepped up the pressure for programmatic retrenchment. In the past, whenever attacks on farm programs intensified, commodity groups fought them off. The policy window remained open longer in 1994–96, however, because other institutional changes had gradually weakened the ability of these groups to close it.

With the reforms to the operation of the U.S. Congress in the mid-1970s, the incentive for individual members to act as "enterprises" has increased, as they seek to maximize their personal support through individual action independent of the party.[45] In agriculture, where legislation has taken on an omnibus form (that is, it puts together a host of often unrelated policies), members are presented with a particularly suitable vehicle for entrepreneurial activity.[46] The renewable character of the legislation facilitates incremental expansion in scope, and the rules governing titles and components make it easier to add particular measures designed to cater to narrow, constituency-based interests.

In formulating these farm bills, legislators have found both national farmers' organizations and (more recently) commodity groups less and less useful. They doubt that groups accurately reflect key grassroots sentiments and have turned instead to "district confidants."[47] Hansen's analysis shows that groups maximize their access to Congress when they provide members with information they cannot obtain elsewhere or when they promote members' electoral aims better than other actors.[48] But groups have lost their competitive advantage on both counts. It follows that feedback effects from commodity groups have gradually diminished in importance over the past two decades. Writing before the passage of the 1996 farm bill, Browne anticipated that the weakening of commodity groups in congressional politics would open the door

[44] Robert Paarlberg and David Orden, "Explaining U.S. Farm Policy in 1996 and Beyond: Changes of Party Control and Changing Market Conditions," *American Journal of Agricultural Economics* 78 (December 1996).

[45] Robert H. Salisbury and Kenneth A. Shepsle, "U.S. Congressmen as Enterprise," *Legislative Studies Quarterly* 6 (1980).

[46] William P. Browne, *Cultivating Congress: Constituents, Issues and Interests in Agricultural Policy-Making* (Lawrence: University of Kansas Press, 1995), 42–47.

[47] Ibid., 114.

[48] Hansen (fn. 32), chap. 1.

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to significant changes in commodity programs in the next two to three farm bills.[49]

This prescient hypothesis became even more credible when the Republicans won control of Congress. Their commitment to neoliberal change drove congressional farm leaders to formulate policies that would meet ideological criteria, while keeping producers happy in an election year. Commodity groups were still active, of course, and had some successes in protecting programs for dairy, sugar, and peanuts.[50] Their power has clearly diminished, however, and their support of the more traditional proposals proposed by the Democratic administration simply could no longer carry the day.[51] The combination of deep systemic retrenchment and ideological commitment to market liberalism produced a farm bill replete with programmatic retrenchment.

FRANCE AND THE EUROPEAN UNION

Whereas agricultural interest groups could deliver only a modest reduction in the pace of retrenchment in the U.S., the structure of producer associational systems in France should have favored more concerted resistance. As distinct from their U.S. counterparts, French commodity groups belong to a strong peak association, the Fédération nationale des syndicats d'exploitants agricoles (FNSEA). Membership in such an association encourages commodity groups to coordinate their activities more systematically, thus lowering the potential for governments to play "divide and conquer." Indeed, the FNSEA has provided an umbrella for the resolution of some key differences between commodity groups, for example, between cereal and livestock producers over the price of grain.[52] Normally, therefore, we would expect the farm lobby in France to be more united in its fight against retrenchment than are the corresponding groups in the U.S.

The ability of farm groups to defend programs will also be higher when they participate in corporatist policy networks that manage agricultural programs and related structural policies. Both the FNSEA and commodity groups have belonged to such networks in France, while

[49] Browne (fn. 46), 189.

[50] Retrenchment was far less impressive in two of the other sacred cows of U.S. support policy. The much-maligned sugar and peanut programs survived largely intact and outside freedom to farm. See United States Department of Agriculture, "1996 Farm Bill," *Agricultural Outlook Supplement* (April 1996), 3.

[51] See David Orden, Robert Paarlberg, and Terry Roe, "What Is Happening to U.S. Farm Policy: A Chronology and Analysis of the 1995–96 Farm Bill Debate," Working Paper no. 96–4 (Blacksburg, Va.: International Agricultural Trade Research Consortium, 1996).

[52] See François Clerc, "FNSEA-CNJA: Les conflits de l'unité," in Pierre Coulomb et al., eds., *Les agriculteurs et la politique* (Paris: FNSP, 1990).

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there are no equivalent networks in the U.S. This close working relationship between farmers and the state, termed *co-gestion*, means that FNSEA-based groups expect to function as "social partners" of the French state.[53] This pattern of state-group relations departs somewhat from the classic etatist portrait of the dirigiste French state painted by Hall and Zysman in their discussions of industrial policy.[54] Rather, Hayward's notion of "concerted politics" nicely captures this partnership arrangement, which has been described more fully by Keeler, Coulomb, Bruneteau, and Marie, among others.[55]

When the European Commission first made its reform proposals in early 1991, several factors conspired to reduce the importance of comprehensive, horizontal farm groups. First, the EU-level peak association, COPA, had been plagued for years by internal administrative problems that limited its ability to provide the commission with expert policy advice and to act as a broker among member states.[56] Accordingly, national-level peak associations became more important players in Brussels. At the national level, however, the FNSEA took a strong and simple position: no reform and no discussion of reform. Consistent with the traditional co-gestion relationship between producers and the Ministry of Agriculture, the French agriculture minister, Louis Mermaz, took a similar position. Also consistent with the "no reform" position, neither the FNSEA nor the Agriculture Ministry in France was willing to participate in discussions of the commission's proposals; and neither offered any alternative proposal to address the Community's financial and overproduction problems.

This withdrawal from the process left discussions primarily in the hands of the other three agencies belonging to the Interministériel that prepared France's positions for Brussels: the Ministries of Finance and External Affairs and the prime minister's office. Each of these had its own reasons for favoring reform.[57] Of the two crucial commodity

[53] Jack Hayward, *The State and the Market Economy: Industrial Patriotism and Economic Intervention in France* (Brighton: Wheatsheaf, 1986), 42–44.

[54] See Peter A. Hall, *Governing the Economy* (New York: Oxford University Press, 1986), chap. 7; and John Zysman, *Governments, Markets, and Growth* (Ithaca, N.Y.: Cornell University Press, 1983).

[55] Hayward (fn. 53); John H. S. Keeler, *The Politics of Neocorporatism in France: Farmers, the State, and Agricultural Policy-Making in the Fifth Republic* (New York: Oxford University Press, 1987); Pierre Coulomb, "La cogestion, une nouvelle tentative corporatiste?" in Coulomb et al. (fn. 52); Bernard Bruneteau, *Les paysans dans l'État: Le gaullisme et le syndicalisme agricole sous la V^e^ République* (Paris: L'Harmattan, 1994); Jean-Louis Marie, *Agriculteurs et politique* (Paris: Montchrestien, 1994).

[56] Eve Fouilleux, *La cogestion à la française à l'épreuve de l'Europe: L'exemple de la réforme de la Politique Agricole Commune* (Grenoble: Centre de Recherche sur le Politique, l'Administration et le Territoire, 1996), 21–22; Elmar Rieger, "Agricultural Policy," in H. Wallace and W. Wallace, eds., *Policy-Making in the European Union* (Oxford: Oxford University Press, 1996), 123.

[57] Fouilleux (fn. 56), 68–72.

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groups, the cereal growers and the beef producers, the former were the stronger. Their vision of an internationally competitive, export-oriented grains sector fit with the preferences of the president, the prime minister, and the finance minister. Forced to choose between lower prices and more competition or higher prices and quotas (the German position), the French cereal producers preferred the former.[58]

As distinct from their counterparts in the U.S., commodity groups like the cereal producers had strengthened their position overall in the policy community with the further development of corporatist policy networks during the 1970s and 1980s. Commodity groups had begun to enhance their own route to influence outside the FNSEA beginning with the creation of commodity-centered, cross-sectoral (*interprofessions*), state-sanctioned agencies in the late 1960s and 1970s.[59] State authority in these agencies was reinforced when the socialists introduced the concept of *offices interprofessionnels* in 1982. These offices were given the responsibility for managing the implementation of market and structural policies for a given sector (cereals, dairy, beef, wine, and so forth).[60] They were built on a multilateral corporatist or concertation model involving joint decision making by state officials and group representatives. Over time, these offices have evolved to assume an important administrative role, including providing policy support and advice for French representation on commodity management committees in Brussels.[61] As such, they constitute an institutionalization in the policy process of groups committed to commodity programs at both the domestic and the community levels. The cereal producers used this power base to support reform more consistent with their export vision. The beef producers lobbied successfully on a smaller, more technical point.

When the reform agreement was announced in May 1992, the FNSEA was furious and characterized the agreement that followed as "le triomphe du libéralisme sauvage."[62] It then turned its attention to the GATT negotiations, where it was confident of internal support for opposing change. With a stronger common front, the traditional *cogestion* network became a formidable obstacle to retrenchment.[63] When

[58] Ibid., 64.

[59] Catherine Pivot, "Offices d'intervention et régulation contractuelle," *Revue d'économie politique* 95 (1985).

[60] Coulomb (fn. 55); Pierre Coulomb and Hélène Delorme, "L'agriculture, les agriculteurs et la crise," *Pour* 102 (1985), 12–25.

[61] This point became clear after interviews with the *offices* responsible for cereals, milk, and wine conducted in Paris in June 1995.

[62] Éditorial, "1993, Année de la résistance syndicale," *L'Information agricole* 659 (1993), 23.

[63] Jacques Le Cacheux and Henri Mendras, "Éléments pour une nouvelle politique agricole," *Revue de l'OFCE* 42 (1992), 126.

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the Blair House Agreement was concluded in late 1992, France refused to accept it.[64] And when the right returned to power in the 1993 elections, it marked the return to power of the parties closely associated with the FNSEA. The new government heeded the FNSEA and pressed the Community to reopen the Blair House agreement. As Table 1 suggests, this effort met with some success because the policy changes introduced reduced somewhat the level of programmatic retrenchment found in the first U.S.-EC agreement.

In summary, the traditional policy juggernaut of the FNSEA and the Ministry of Agriculture, which sought to prevent retrenchment, was sidelined in the 1991–92 reforms. The difficulties encountered by the FNSEA were not accidental: as commodity groups had become more important in the 1970s and 1980s, partially due to the commodity-centered regimes in the CAP itself—the federation's capacity to broker across commodities had declined. Its emphatic *Non* in 1991–92 might have been the only strategy that could have prevented open dissension in the ranks. This situation permitted those state actors predisposed to reform to draw support from key commodity groups and to secure, with other Community members, a measure of programmatic retrenchment unprecedented in the history of the CAP. By contrast, at the next stage of GATT reform the associational system was able to utilize effectively its participation in a bipartite corporatist policy network to press government to roll back the retrenchment agreed to in the GATT (pre)Accord of 1992.

The Impact of International Policy-Making

Agricultural policy-making has become integrated into a multilevel governance system, a development crucial to policy retrenchment.[65] In the EU retrenchment occurred first in intergovernmental negotiations at the Community level, so that agricultural producers had to rely on their national-level interest groups to fight reform. Policy reform then moved to the international level, first in bilateral negotiations with the U.S. and second in the broader GATT Round. Overall, the international level has increased in importance over the past decade.

From the perspective of an EU member state like France, this strengthening of international political institutions creates particular difficulties for domestic groups seeking to fight against retrenchment

[64] Stephen Woolcock and Michael Hodges, "EU Policy in the Uruguay Round," in Wallace and Wallace (fn. 56), 318.

[65] This multilevel aspect of agricultural policy-making is discussed at some length in Lee Ann Patterson, "Agricultural Policy Reform in the European Community: A Three-Level Game Analysis," *International Organization* 51 (Winter 1997).

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proposals. Some domestic groups now find themselves twice removed from some key decision-making forums. Admittedly, most analysis would suggest that domestic groups have retained their influence within the European Union itself.[66] But in these new, more global circumstances, domestic groups must not only lobby their governments about how to define the European Union position but they must also keep an eye on what the commission does in international forums. Where Community-level interest groups are weak, this can be difficult. A commodity group in France described its frustration:

> With respect to the GATT, the decisions were taken much further away, in Washington, Montreal, Brussels but not at the Commission. Consequently, we were relatively displaced in relation to what was done. What is more, we were always having to ask ourselves who at the Commission was negotiating. This always remained relatively—secret is not the word—but it was very difficult to discern who were the real negotiators. There were, for example, steps taken that we only learned about through the press.[67]

In short, shifting decision making to the international level may be a retrenchment strategy that further disarms groups opposed to policy change. The impact of this development is not the same for countries in the EU as it is for the U.S. In the EU the Commission of the European Communities, a unique institution because of its initiative power and weaker accountability framework, takes responsibility for international negotiations. As the quote from the French commodity group suggests, this arrangement places the key international negotiations at a remove of two levels from national interest groups within EU member states. Frustration with this arrangement may underly some of the frequent recourse by European, especially French, farmers to massive street demonstrations during the negotiations. Although international negotiations also served as a retrenchment strategy in the U.S., U.S. groups were only one level removed from these discussions.

Conclusion

In this article we have sought to build on Pierson's comparative theory of retrenchment. We chose a new policy sector, agriculture, where re-

[66] Sonia Mazey and Jeremy Richardson, "Introduction: Transference of Power, Decision Rules, and Rules of the Game," in Mazey and Richardson, eds., *Lobbying in the European Community* (Oxford: Oxford University Press, 1993), 22; Wyn P. Grant, "Pressure Groups and the European Community," also in Mazey and Richardson; and Justin Greenwood, Jürgen Grote, and Karsten Ronit, "Conclusions: Evolving Patterns of Organizing Interests in the European Community," in Greenwood, Grote, and Ronit, eds., *Organized Interests and the European Community* (London: Sage, 1992), 245–48.

[67] Confidential interview, Paris, June 1995.

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cent market-liberal reforms in the EU/France and the United States offer an excellent laboratory. We draw three main conclusions.

First, the broad lines of Pierson's theory hold up well in this new policy sector. The concepts of systemic and programmatic retrenchment and of policy feedback worked well in describing why policy change in agriculture has been every bit as difficult as policy change in social policy. Although the costs of farm programs are diffused, their benefits are concentrated among a small proportion of the population in both France and the United States. Farmers, who are risk seeking when it comes to political losses, have organized into powerful groups in both countries in order to protect farm programs, and they have often met with success. Where governments have been successful, systemic retrenchment and obfuscation have prepared the ground for significant policy change. By capping program spending for several years in nominal dollars, for example, the U.S. has embarked on a path of diminishing financial support for several key commodities. In addition to this obfuscation strategy, both France and the U.S. have provided generous short-term compensation to buy off political opposition.

Second, changes in institutions or the rules of the game can be significant in retrenchment politics.[68] When agriculture was introduced successfully into international trade negotiations, the rules of the game and the players at the table were reconstituted. Politicians were able to shift the blame for retrenchment pressures by attributing them to pressure from other countries or deferring to the overall importance of a comprehensive trade agreement to the domestic economy. International negotiations and the fiscal difficulties of the state also helped change membership in policy communities. Politicians were able to assemble new coalitions of neoliberal ideologues and supporters of fiscal rectitude and used these to widen membership in traditionally closed agricultural policy communities.

Finally, we conclude that a comparative theory of retrenchment will need to take careful account of the direct effects of systemic variables. We have found that a focus on individual programs does not provide a complete explanation of why retrenchment took place in the U.S. and in the EU/France (see Table 3). Rather, two systemic variables—rules and practices that structure the role of groups in policy-making and the ideological position of the ruling party in the legislature—figure importantly in our explanations of the relative success at retrenching farm programs. During the debate over the U.S. farm bill agricultural groups

[68] Pierson (fn. 2), 177.

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were somewhat marginalized, whereas in France commodity groups, in particular, remained highly incorporated in the policy-making system. Equally important, the right was much more market liberal in orientation in the U.S. than in France. System-level variables like these may not provide sweeping advantages to advocates of retrenchment, but in comparing these two countries, they are at least as important as the programs themselves in accounting for how much retrenchment took place.

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DOMESTIC INSTITUTIONS AND INTERNATIONAL REGULATORY COOPERATION

Comparative Responses to the Convention on Biological Diversity

By KAL RAUSTIALA*

INTERNATIONAL regimes develop in three general ways: through coercion, convergence ("harmony"), or mutual state choice. Lasting coercive cooperation is rare.[1] Harmony is of limited interest.[2] In the majority of cases—and those of the greatest theoretical and practical significance—regimes arise through explicit state choices to cooperate. This article explores state choice toward international regulatory regimes for environmental protection. Regulatory regimes are frequently aimed at diffuse private actors and behaviors. International regime rules are commonly transformed into binding domestic rules or standards; regulatory cooperation, and environmental cooperation in particular, is marked by the degree to which this process of implementation relies upon and is shaped by existing domestic institutions and political structures. Because regulatory regimes at the international level are nearly always administrated through regulatory regimes at the domestic level, the latter, in conjunction with the politics new regula-

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[1] Sanctions can be considered a form of coercively induced cooperation. On sanctions in general, see Lisa Martin, *Coercive Cooperation: Explaining Multilateral Economic Sanctions* (Princeton: Princeton University Press, 1992); and idem, "Credibility, Costs, and Institutions: Cooperation on Economic Sanctions," *World Politics* 45 (April 1993).

[2] See Robert Keohane's discussion in which he distinguishes between harmony and cooperation. Keohane, *After Hegemony* (Princeton: Princeton University Press, 1984), 51–54.

World Politics 49 (July 1997), 482–509

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tion engenders, are central to understanding state choice. While many analyses have examined the role of domestic politics in international cooperation, I focus on domestic institutions. This article shows how institutions, in conjunction with the interests of key societal actors and the political incentives faced by governments, help to determine the expected political, economic, and legal impact of international commitments. Given that states are collectively the architects of international institutions, and these anticipated effects thus partly endogenous, the domestic regulatory structures of powerful states can also be critical influences on the scope, structure, and terms of international institutions.

To develop these claims, I examine an important recent case of international environmental cooperation, the protection of global biological diversity ("biodiversity"), and analyze the divergent responses of two leading states to the core agreement of the new regime. While the United Kingdom signed and ratified the Convention on Biological Diversity (CBD),[3] negotiated as one of the keystones of the 1992 United Nations Conference on Environment and Development (UNCED), the United States refused to do so. Both states were active participants in the negotiations and shared a host of similarities: the likelihood both of harm from biodiversity loss and of gain from biodiversity protection, positions as economic powers, intensity of biotechnology and pharmaceutical industries, antiregulatory leadership, and positions on critical issues like intellectual property protection. Two theoretical perspectives that examine areas of potential difference are used to explore this divergence in choice toward the CBD. Building on the seemingly central role played by science and scientists in the formation of environmental regimes, Peter Haas and others have developed a prominent knowledge-based account of state behavior in which epistemic influence, built on positive and normative understandings shared by an elite community of experts, explains much of the observed intergovernmental coordination in environmental affairs.[4] An alternative perspective, that I term "regulatory politics," proposes that variations in core domestic institutions critically shape the anticipated impact of regime rules and hence the domestic politics of international cooperation.

Biodiversity provides an important case of environmental cooperation (and one arguably more ecologically significant than higher-profile issues such as climate change). While a focus on epistemic communi-

[3] "Convention on Biological Diversity," June 1992 (hereafter cited as "CBD"), *International Legal Materials*, vol. 31 (Washington, D.C.: American Society of International Law, 1992), 818.

[4] See the special issue of *International Organization* 46, no. 1 (1992), edited by Peter Haas and Emanuel Adler.

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ties helps to explain the rise of biodiversity as an international issue, it does not explain the choices made by the U.S. or the U.K. toward the developing regime. These states took differing positions neither because of divergent epistemic influence nor because of divergent power, expected harm, or wealth of biodiversity. Nor did the U.S. provide political "cover" for Britain by crippling the regime: unlike some other global environmental problems, biodiversity loss can be adequately, if imperfectly, addressed without U.S. participation.[5] Rather the need for commitments to be filtered through existing domestic institutions created divergent incentives and led to dissimilar assessments of the treaty's merits and dangers.

As regulatory cooperation rises in salience, the knowledge that domestic politics matters for international cooperation must be buttressed with an understanding of the special demands of such cooperation. This article delineates some precise ways in which domestic institutions, political commitments, and anticipated implementation influence state choice when international cooperation touches upon traditionally domestic areas of policy. It also shows that epistemic theory can fruitfully complement institutional approaches to state behavior and that domestic law can be an important factor in explaining state behavior and international cooperation.

First I describe the "biodiversity problem" and the research design. I then introduce the epistemic and regulatory approaches in brief, present the case history, and use both approaches to analyze the observed British and American behavior. After comparing and contrasting their respective explanatory power, I conclude with some remarks on the scope and import of my arguments for cooperation, law, and international relations theory.

BIODIVERSITY, THE U.S., AND THE U.K.

Biodiversity refers to the diversity of species, genetic material, and ecosystems around the globe. The concept reflects an increased awareness and appreciation of both genetic resources and ecosystemic relationships. Proponents cite a number of reasons for biodiversity's importance: Loss of species and habitats can result in unanticipated harm for entire ecosystems. Modern agriculture, pharmaceuticals, and

[5] Biodiversity is distinct from the global climate change case. The U.S. arguably did provide cover for governments in Europe by effectively vitiating that regime's potentially costly emissions commitment. While the biodiversity regime would clearly benefit from U.S. participation, it is not essential. See Kal Raustiala and David G. Victor, "Biodiversity since Rio: The Future of the Convention on Biological Diversity," *Environment* 38 (May 1996).

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biotechnology all depend on access to new genetic resources;[6] the possibility of unknown future needs creates "option value" in unexplored biological resources.[7] Finally, normative arguments maintain that large-scale and often irreversible ecological destruction is simply wrong.

Flora-and-fauna treaties have been a mainstay of environmental cooperation throughout the twentieth century. By the late 1980s many wildlife conservation accords existed, focused mainly on the protection of individual species. Few addressed habitats, and none coordinated the disparate efforts.[8] The continuing destruction of fragile ecosystems around the world and accelerating biodiversity loss came to be viewed as an irreversible ecological catastrophe.[9] A comprehensive new umbrella regime, focused explicitly on diversity loss, was considered by many analysts to be the best solution. Such a regime had to be global, because biodiversity was distributed widely but unevenly, and ecosystems and species do not respect national borders. But because much of the earth's biodiversity rests on sovereign territory, action had to be undertaken by national governments. While a single state's actions—or nonactions—could not completely undermine the success of the regime, as is conceivable for problems like stratospheric ozone depletion, an effective response required broad collective action. Moreover, it is difficult to exclude free riders from many of the benefits of preservation, in direct usage and in option value.[10] A conservation epistemic community increasingly sought to publicize biodiversity loss, and the general outlines of what became the CBD were drafted in nongovernmental forums. The desire to create a new global regime dovetailed with an increasing focus on environmental issues in international affairs.[11]

The U.S. and the U.K. are similar in a number of important ways. Both are advanced industrial democracies, hosts to international financial centers and major transnational corporations, and jointly enmeshed in a wide array of international institutions. Both are major centers for the biotech and pharmaceutical industries, and their scientific communities are tightly linked. Each has thriving conservation NGOs and a

[6] Robert Mendelsohn and Michael Balick, "The Value of Undiscovered Pharmaceuticals in Tropical Forests," *Economic Botany* 49, no. 2 (1995).

[7] David Pearce, *Economic Values and the Natural World* (London: Earthscan, 1993).

[8] Simon Lyster, *International Wildlife Law* (Cambridge: Grotius, 1985).

[9] National Science Board, *Loss of Biological Diversity: A Global Crisis Requiring International Solutions* (Washington, D.C.: NSB, 1989).

[10] For example, it is conceivable that the CBD could mandate that only parties may purchase agricultural strains based on protected resources, but, in practice, this would be unworkable and might clash with international trade norms and rules.

[11] Frank Benjamin Golley, *A History of the Ecosystem Concept in Ecology: More Than the Sum of Its Parts* (New Haven: Yale University Press, 1993).

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long tradition of wildlife protection. In the period in question, 1989–92, both the U.S. and the U.K. were ruled by conservative governments often aligned in international forums and generally hostile toward new regulatory initiatives. Finally, the threat from the loss of global biodiversity is essentially the same for both states. Ex ante, neither can expect to lose (or win) more by its destruction, and both are equally likely to enjoy the benefits of preservation. Unlike the potential impact of climate change, which can vary enormously based on a state's latitude, coastal features, and agricultural intensity, the direct impact of biodiversity losses are not especially state-specific.[12] The two governments, however, exhibited markedly different responses and attitudes toward the nascent biodiversity regime. This poses a puzzle: with such broad similarities, why did the U.S. and U.K. take such distinctive stances both in the negotiations and after?

Two Perspectives on State Choice

Epistemic-community analysis emphasizes the ways in which the carriers of ideas and expertise shape state interests and behavior, and reflects a widespread conviction that environmental politics are distinctively influenced by scientific knowledge and those who interpret it.[13] Conversely, the regulatory-politics approach focuses on the domestic institutional structures that shape state (and societal) interests, in particular through expectations about the domestic effects of regimes in operation.

Epistemic Communities and Cooperation

Theories employing epistemic communities stress the roles that authoritative interpretations of complex and uncertain interrelationships play in fostering cooperative policies, especially toward the environment. In the words of one proponent, "International environmental cooperation is generated by the influence wielded by specialists with

[12] For example, the loss of a cancer-fighting plant somewhere in the world will harm Britons and Americans similarly—both will suffer from not having that treatment. The loss of biodiversity and ecosystems within a nation will obviously impact that nation more directly because of the loss of useful ecological functions and amenities. But there is little reason to believe that such loss matters systematically: Would less biodiverse Britain suffer more from the loss of local species, or would biodiverse U.S. have more to lose and hence be hit harder by such loss?

[13] Works that stress the importance of scientific input to environmental cooperation without adopting the epistemic-community approach include Tony Brenton, *The Greening of Machiavelli* (London: Earthscan, 1994); L. K. Caldwell, *International Environmental Policy*, 2d ed. (Durham, N.C.: Duke University Press, 1990); Richard Benedick, *Ozone Diplomacy* (Cambridge: Harvard University Press, 1991); A. Dan Tarlock, "Environmental Law: The Roles of NGOs in the Development of International Environmental Law," *Chicago-Kent Law Review* 68, no. 1 (1992).

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common beliefs, contrary to conventional approaches which stress the role of interstate power."[14] In this view governments seek to reduce uncertainty and solve problems, and these specialists provide influential interpretations and likely solutions. By becoming entrenched in the decision-making processes of states, the specialists solidify their influence. Acting transnationally, a knowledge-based community can create convergence around its preferred policy solutions. Influence in the epistemic model is thus both cognitive and bureaucratic; while epistemic communities help to shape state preferences for cooperation through the knowledge they possess, they also exert influence through the institutionalization of community members into policy-making bureaucracies. The major dynamics in epistemic theory, therefore, are uncertainty, interpretation, and institutionalization.

While focused on the incidence of cooperation, epistemic theory also claims to explain preference formation and policy choice. Epistemic accounts contain a (sometimes implicit) model of state action and state interests, in which governments' chief priority is to foster the public interest and alleviate shared international problems. While epistemic communities can at times "capture" large organizations, the scientific nature of environmental problems and the authoritative position of expert communities generally grant experts considerable influence over policy. Applications of epistemic analysis in environmental settings, such as stratospheric ozone cooperation, have relied heavily on accounts of the actions of community members in governments and in firms.[15] These actors, it is argued, have shaped the interests and choices of states through active efforts at issue framing and policy-making. Variance in state choices reflect differential access by the community of experts rather than differential receptions of the content of the community's proffered policy solution. Variations in access and institutionalization, while not treated systematically, have been hypothesized to result from structural and cultural variables, such as levels of environmental sentiment and/or state porousness.[16]

Regulatory Politics

The regulatory-politics approach builds on theories of domestic institutions in international relations and comparative politics and the reg-

[14] Peter Haas, *Saving the Mediterranean: The Politics of International Environmental Cooperation* (New York: Columbia University Press, 1990), xxii.

[15] Peter Haas, "Banning Chloroflourocarbons: Epistemic Community Efforts to Protect Stratospheric Ozone," *International Organization* 46 (Winter 1992).

[16] Ibid., 215–16.

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ulatory tradition in law and economics.[17] It comprises three types of variables: institutions; the preferences of societal actors, which are partly determined by institutions; and domestic political commitments.

Many international regulatory regimes entail extensive processes of domestic implementation. Such regimes must resonate, or at least not undermine or clash with, existing political and legal structures at the domestic level.[18] In describing regulatory treaties, Chayes and Chayes note that frequently

> the real object of the treaty is not to affect state behavior but to regulate the activities of individuals and private entities . . . the ultimate impact on private behavior depends on a complex series of further steps. It will normally require detailed administrative regulations and vigorous enforcement efforts. In essence, the state will have to establish and enforce a full-blown domestic regime.[19]

In reality, states rarely establish and enforce full-blown domestic regimes de novo. They rely on existing regimes and entrenched administrative institutions. How these are structured and supported influences what can be implemented, and often what is negotiated.[20]

I emphasize two core institutional variations—separated powers versus "fused" powers, and federalism versus unitarism—and the regulatory styles and incentives that, in part, flow from these institutional variations. Domestic institutions provide incentives for and constraints on what governments can put into practice. Societal actors—firms, environmental organizations—are interested in international agreements, and they lobby governments accordingly.[21] Their expectations about the

[17] See, e.g., Judith Goldstein, "International Law and Domestic Institutions: Reconciling North American 'Unfair Trade' Laws," *International Organization* 50 (Autumn 1996); Peter Gourevitch, "Squaring the Circle: The Domestic Sources of International Cooperation," *International Organization* 50 (Spring 1996); Anne-Marie Slaughter, "International Law in a World of Liberal States," *European Journal of International Law* 6, no. 4 (1995); Peter Katzenstein, ed., *Between Power and Plenty: Foreign Economic Policies of Advanced Industrial States* (Madison: University of Wisconsin Press, 1978); Kent Weaver and Bert Rockman, eds., *Do Institutions Matter?* (Washington, D.C.: Brookings Institution, 1993); Arend Lijphart, *Democracies* (New Haven: Yale University Press, 1984); George Stigler, ed., *Chicago Studies in Political Economy* (Chicago: University of Chicago Press, 1988); Roger Noll, ed., *Regulatory Policy and the Social Sciences* (Berkeley: University of California Press, 1985).

[18] As Peter Cowhey has argued, "National politicians have been unlikely to accept any global [regulatory] regime that fails to reinforce the preferred domestic regime." Cowhey, "International Telecommunications Regime: The Political Roots of Regimes for High Technology," *International Organization* 44 (Spring 1990), 171. For a very different view of administrative structure and its relation to foreign policy, see Henry Kissinger, "Domestic Structure and Foreign Policy," *Daedalus* 95 (Spring 1966).

[19] Abram Chayes and Antonia Handler Chayes, *The New Sovereignty* (Cambridge: Harvard University Press, 1995), 14.

[20] A critical assumption for this argument is that states negotiate in good faith and expect to implement what they negotiate. In other words, states typically expect ex ante to comply. For an argument in favor of this assumption, see Chayes and Chayes (fn. 19); and idem, "On Compliance" *International Organization* 47 (Spring 1993).

[21] See, e.g., Helen Milner, *Resisting Protectionism* (Princeton: Princeton University Press, 1988).

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impact of regime commitments are also shaped by institutions: variations in the domestic regulatory arrangements, which put international commitments into practice, shape and distinguish the local reality of common global commitments. The electoral pledges of governments are influential because they further structure political costs and benefits. Governments will have different supporting coalitions and favor different policies: some stake out the environment as a defining issue, while others stress the burdens of regulation. In sum, the anticipated "refraction" of common external commitments by domestic institutions helps to determine the impact of international commitments on domestic actors and domestic politics, and political incentives structure the political costs and benefits associated with these regime impacts. What matters most are the likely effects of the political solution, not the impact of the underlying environmental problem.[22] After describing the negotiation of the CBD below, these general claims about state choice are specified and applied to the U.S. and U.K. case history.

Table 1 summarizes the expectations of the epistemic community and regulatory politics approaches.

Negotiating the Biodiversity Regime

With the onset in the 1980s of sustained attention to both the concept and the reality of global biodiversity, the extant international conservation regimes were recognized as unduly limited in scope. A multilateral biodiversity regime was initially promoted by members of several nongovernmental organizations: the International Union for the Conservation of Nature (IUCN), the WorldWide Fund for Nature (WWF), and the World Resources Institute (WRI). In the 1980s successive drafts of a future treaty were developed at IUCN.[23] These groups and the United Nations Environment Programme (UNEP) jointly developed an exten-

[22] By contrast, an account of state choice in international environmental policy that emphasizes the domestic impact of environmental problems is developed by Detlef Sprinz and Tapani Vaahtoranta. They begin with a rational unitary actor premise and examine ecological vulnerability—the degree to which a state experiences harm—and varying compliance costs. States are categorized based on these factors: "pushers," "draggers," etc. States that experience the same level of harm and costs should react identically. While potentially helpful, this perspective offers little explanatory purchase here: the U.S. and the U.K. faced similar degrees of harm and similar costs of compliance in the basic economic sense the authors propose. Sprinz and Vaahtoranta, "The Interest-Based Explanation of International Environmental Policy," *International Organization* 48 (Winter 1994).

[23] Vicente Sanchez and Calestous Juma, eds., *Biodiplomacy* (Nairobi: ACTS Press, 1994); IUCN, "Legal Measures for Supporting the Conservation of Biological Diversity: A Background Document for IUCN Gen. Assembly Workshop 3" (IUCN, n.d.); and Françoise Burhenne-Guilmin and Susan Casey-Lefkowitz, "The Biodiversity Convention," in Gunther Handl, ed., *Yearbook of International Environmental Law* (Norwell, Mass.: Kluwer Academic Publishers, 1992).

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TABLE 1
STATE CHOICE IN REGULATORY COOPERATION

Epistemic Community Perspective	*Regulatory Politics Perspective*
Knowledge-based.	Institution-based.
Causal logic: Uncertainty leads governments to seek authoritative advice. Community interpretations and institutionalization shape state choice. Transnational influence leads to cooperation. "The greater the extent to which epistemic communities . . . gain influence . . . the greater is the likelihood that these nation-states will in turn exert power on behalf of [their] values."[a]	Causal logic: Domestic institutions determine government and societal expectations about the impact of implementing regime rules. Political incentives structure the political costs and benefits associated with these regime impacts. In concert, these factors shape state choices by determining the domestic and distributional consequences of shared commitments.
Cross-national differences in state behavior are caused by variation in the penetration and institutionalization of expert communities.	Cross-national differences in state behavior are caused by diverse domestic institutions, societal preferences, and political commitments.
Environmental problems are part of a distinctive class of scientific issues. The source of the solution (authoritative experts) is more significant than its content.	Environmental problems are much like other international regulatory issues. The content and impact of the solution is paramount.

[a]Emanuel Adler and Peter Haas, "Conclusion: Epistemic Communities, World Order, and the Creation of a Reflective Research Program," *International Organization* 46 (Winter 1992) 371–72.

sive proposal that offered policy prescriptions oriented around a legally binding treaty. Trained in ecology, economics, and resource management, the individuals involved formed a coherent prolific community dedicated to improved biodiversity protection.

With the IUCN text as background, in 1987 UNEP composed a first draft of the treaty. Formal negotiations began in 1990. While the issue remained in the shadow of the contemporaneous climate change negotiations, its presence in UNCED and the breadth of the underlying problem gave it considerable diplomatic gravity. As the talks proceeded, the scope of the CBD was expanded significantly: conservation, sustainable use and development, access to genetic resources, technology transfer, intellectual property rights (IPR), living-modified organisms (LMO), "biosafety," and finances, all came under negotiation to the dismay of some Western governments. The final negotiating session prior to

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UNCED encompassed all of these controversial issues in an inconclusive and at times caustic negotiation marked by significant North-South dispute and distrust. The CBD ultimately addressed three (linked) central concerns: the conservation of biodiversity, the promotion of its sustainable use, and the equitable sharing of its benefits. It is this latter objective, with its clear redistributive implications, that was and remains the cause of much debate. In the limited time available before UNCED, the U.S. announced its formal intention not to sign the treaty, while the U.K., though it expressed concerns about financial aspects, chose to sign.

Regime Commitments

The conservation commitments of the CBD include the monitoring of biodiversity, the establishment of protected areas, and the adoption of local and national conservation incentives. Each party is obligated to develop a national protection program and include considerations of biodiversity in governmental decisions. Resources must be regulated and degraded areas rehabilitated. The treaty is a landmark in its comprehensive, ecosystemic approach to environmental protection.

State sovereignty over biological resources is a core norm of the regime, though biodiversity is proclaimed the "common concern" of all humanity. Parties are to develop laws and policies with the aim of "sharing in a fair and equitable way the results of research and development and benefits arising from commercial and other utilization of genetic resources with the Contracting Party providing such resources."[24] The CBD also commits parties to ensure that IPR rules "are supportive of and do run counter to" the CBD's objectives—among them, the equitable sharing of the benefits of biodiversity. Biological resources are the basis for many pharmaceutical, agricultural, and biotechnological products.[25] The widening extension by industrialized nations of patent protection for genetic inventions has provoked considerable controversy in the developing world. Some industrialized nations, especially the U.S., felt that the developing nations were trying to use this language in the CBD to dilute and counter commitments undertaken in the Trade-Related Intellectual Property talks, part of the Uruguay Round of the GATT.[26] In addition, industrialized nations feared that the CBD might

[24] CBD (fn. 3), Article 16.

[25] Pharmaceutical companies lose an estimated $6 billion annually from the pirating of pantented medicinals. Gareth Porter, "The United States and the Biodiversity Convention: The Case for Participation," *EESI Papers on Environment and Development*, no. 1 (1992), 10.

[26] Anonymous interviews, U.S. government, by the author, Washington, D.C., March 21, 1995.

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make access to genetic resources too costly, thereby inhibiting the growth of high-tech, gene-reliant industries.

The CBD's provisions for technology transfer also created serious concern.[27] Industrialized countries attempted to insert language that made access to genetic resources and technology dependent on "mutually agreed terms." The developing nations resisted this language, and the final version is not consistent. The newly emerged issue of "biosafety" contained elements of both the IPR and the technology-transfer debates. Biosafety refers to concerns over dangers arising from the use and testing of biotechnology, specifically genetically modified organisms. An early UNEP report on the linkages between biotech and biodiversity stressed that the chief linkages, though minor, were positive.[28] Developing country delegations disregarded the expert report and called for the inclusion of biotech regulation. From that point on, biosafety was central to the negotiations.[29]

The Global Environment Facility (GEF) of the World Bank, favored by the donor states, was designated the interim financial mechanism of the CBD, in charge of disbursements to developing countries to help defray the costs of implementation. The determination of financial contributions remained in dispute; at UNCED, eighteen industrialized country delegations joined in a declaration emphasizing their right to determine the amount of their contributions.[30]

The U.S. Response to the CBD

The U.S. was instrumental in getting the CBD negotiations started, but as the scope of the negotiations expanded, the Bush administration began to back away.[31] In its view the CBD talks were addressing basic economic and legal issues in a manner antithetical to U.S. ideology, practice, and law. In addition to the treaty's impact on IPR, biotechnology, and the always controversial federal-state structure of land control in the U.S., White House officials stated that the CBD "would make our

[27] One analyst observed that "the treaty might just as appropriately have been designated the 'Convention on Biotechnology Transfer.'" Dan Burk et al., "Biodiversity and Biotechnology," *Science*, June 25, 1993.

[28] Val Giddings and Gabrielle Persley, "Biotechnology and Biodiversity," UNEP/Bio.Div./SWGB.1/3, October 12, 1990.

[29] While the U.S. was successful in striking a direct call for a biosafety protocol from the CBD, the parties are slated to develop one by 1998.

[30] United Kingdom, *Declaration Made after the Adoption of Agreed Text of the Biodiversity Convention.*

[31] For a more extensive summary of U.S. and U.K. behavior, see Kal Raustiala, "The Domestic Politics of Biodiversity Protection in the U.S. and U.K.," in Elizabeth Economy and Miranda Schreurs, eds., *The Internationalization of Environmental Protection* (New York: Cambridge University Press, forthcoming).

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life 10 times worse" because it would strengthen the Endangered Species Act and ongoing wetlands conservation, efforts that the officials believed should be rolled back or at least contained.[32]

The U.S. attempted to stall the talks in the hope of postponing the conclusion of the negotiations until after UNCED.[33] The death knell for the treaty came when two officials of the Council on Competitiveness, a regulatory watchdog that had monitored the negotiations intensively, argued in an April 1992 memo that

> the draft convention is a major problem for the US . . . the [ESA] and the National Environmental Policy Act would need to be greatly expanded . . . it could greatly increase litigation . . . [and] proposes to regulate biotechnology in a manner totally unacceptable to the US. . . . The current draft convention is so extensively flawed that it is highly unlikely that sufficient corrective action could be accomplished at a single negotiating session, and thus, any final convention that might be completed in May would remain seriously flawed.[34]

The final text addressed many of their concerns, but not all.[35] In announcing the U.S. decision to reject the CBD, the State Department cited objections to the language on IPR, biotechnology development, and funding, and emphasized, to great criticism internationally, that "the U.S. does not and cannot sign an agreement that is fundamentally flawed merely for the sake of having that agreement."[36] President Bush stated that while the U.S. had a long history of environmental protection, the CBD clearly threatened American jobs.[37]

In Rio, EPA chief Bill Reilly made an unsuccessful effort to reverse the decision which had made the U.S. the leading villain and created so much publicity that, in late 1992, the head of UNEP (jokingly) thanked a U.S. official for making the CBD such a great success. But at home, many U.S. businesses were openly supportive of the decision to reject. As one biotech firm spokeswoman stated, "[We] agree with the treaty's noble

[32] *BNA Daily Report for Executives*, June 8, 1992.

[33] "Chief U.S. Negotiator Unsure Whether Bush Will Be Able to Sign Pact in Rio," *BNA International Environment Daily*, May 21, 1992; Anonymous interviews, U.S. State Department, by author, Washington, D.C., February 27, 1995, March 16, 1995; Anonymous interviews, U.K. delegates, by author, London, September 29, 1994.

[34] David McIntosh and John Cohressen to Bill Kristol, memo, April 14, 1992. In the words of one administration source, "The biggest thing Interior fought about was endangered species. They don't want any reference to genetic diversity. . . . We are battling to go even as far as U.S. law allows." Gareth Porter, interview by author, Washington, D.C., May 4, 1995.

[35] Porter (fn. 25); Russ Hoyle, "Deep-sixing Biodiversity," *Biotechnology* (August 1992). While the Council played an important role in the formation of U.S. policy, its independent contribution is small. Council members reflected and amplified concerns—over IPR, land use, federalism—that stemmed from deeper sources within the structure of the U.S. political system and the particular societal interests to which the Bush administration was beholden.

[36] UPI, May 30, 1992, BC cycle.

[37] Ibid.

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goals for protection, but [it] oversteps its boundaries by beginning to tamper with [IPR] and international trade issues."[38] Pharmaceutical and biotechnology trade associations all sent letters urging the president not to sign.[39] Gerald Mossinghoff, president of the pharmaceutical trade association and former head of the U.S. Patent Office under Reagan, wrote to President Bush that the CBD "would undermine the great progress your Administration has made in encouraging other countries . . . to strengthen their patent laws."[40]

Following the 1992 election, in a private initiative, a group of NGOs and interested firms reevaluated the CBD and drew up an influential interpretive statement supportive of U.S. accession. They argued that the U.S. was better off in than out and that the CBD could be implemented through existing legal authority and would require no major changes in the statutory landscape. An internal review agreed with the latter conclusion. In 1993 the Clinton administration reversed the U.S. decision and signed the CBD; several interpretative statements, which have a slender international legal significance but a stronger domestic one, were made addressing U.S. concerns. Four years and another presidential election later, however, the CBD remains unratified and mired in many of the debates of the Bush era.

The U.K. Response to the CBD

With minimal coordination by the European Community, its members were relatively free to formulate independent negotiating positions in the biodiversity talks.[41] The U.K. shared the early enthusiasm of the U.S. for the conservation goals of the CBD. As the negotiations commenced, the U.K. created an advisory group similar in composition to the group formed—privately—in the U.S. after Rio; included were representatives of WWF, Imperial Chemical Industries, the Congress of British Industry, Cambridge Monitoring Center, and Kew Gardens, one of the world's leading storehouses of plant genetic resources.

While the U.K. supported much of the conservation commitments under discussion, it became increasingly concerned about the ramifications of the CBD's financial mechanism and successfully sought its placement in the GEF. In announcing their decision to sign the CBD, the

[38] Lawrence Aragon, "Diversity Collides with Biotech R&D: Intellectual Property Rights Stymie United States Backing of Biological Diversity Treaty," *The Business Journal—San Jose*, June 15, 1992.

[39] Richard Stone, "The Biodiversity Treaty: Pandora's Box or Fair Deal?" *Science*, June 19, 1992; anonymous interviews, Biotechnology Industry Organization, by author, Washington, D.C., March 3, 1995.

[40] Burk et al. (fn. 27).

[41] Anonymous interviews, U.K. government, by author, London, October 13, 1994.

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environment minister stressed that the U.K. did not share many of the U.S. concerns over technology transfer, IPR, and biotechnology issues: "When we first looked at the text, we identified some points of difficulty . . . we have now succeeded in finding solutions to these difficulties."[42] Upon signing, the U.K. stated only that

> the government of the [U.K. and others] . . . declare their understanding that the decisions to be taken by the Conference of the Parties under paragraph 1 of Article 21 concern "the amount of resources needed" by the financial mechanism, and that nothing in the [CBD] authorizes the Conference of Parties to take decisions concerning the amount, nature, frequency or size of the contributions of the Parties.[43]

By contrast, the interpretation by the U.S. was far more inclusive:

> It is deeply regrettable to us that—whether because of the haste with which we have completed our work or the result of substantive disagreement—a number of issues of serious concern in the United States have not been adequately addressed . . . the text is seriously flawed in a number of respects. As a matter of substance, we find particularly unsatisfactory the text's treatment of [IPR]; finances, including, importantly, the role of the [GEF]; technology transfer, and biotechnology. In addition, we are disappointed with the development of issues related to environmental impact assessments, the legal relationship between this Convention and other international agreements, and the scope of obligations with respect to the marine environment.[44]

Ratification by the U.K. was rapid; debate was minimal and quite unlike the process in the U.S. in which senators have raised issues of the treaty's effects on private rights of action, future amendments of legislation, status vis-à-vis American law, future protocols, and so on.[45]

Explaining State Choice: Epistemic Communities and Biodiversity

Defining an epistemic community is always a contestable proposition; a community is an analytic construct imposed by an observer, rarely self-defined or formally organized. But the members of WRI, IUCN, and WWF, who were involved in biodiversity issues and, in particular, in the creation of the influential volume *Global Biodiversity Strategy* (1992)[46]

[42] UPI, June 9, 1992, BC cycle.

[43] UNEP, Declaration of the United Kingdom of Great Britain and Northern Ireland, "Convention on Biological Diversity," Na.92-8314.

[44] UNEP, Declaration of the United States of America, "Convention on Biological Diversity," Na.92-8314.

[45] Senate Committee on Foreign Relations to Senator Mitchell, letter, August 5, 1994; Secretaries Christopher, Babbit, and Esty to Senator Mitchell, reply, August 16, 1994.

[46] WRI, IUCN, and UNEP, *Global Biodiversity Strategy* (n. p: 1992).

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fulfill the standard definition of an epistemic community: "a network of professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge with that domain or issue-area."[47] They acted in an entrepreneurial fashion, offering interpretations and analyses of the problem as well as proposing solutions. They were influential agenda setters. Without the perseverance of such conservation experts, a comprehensive regime might only have been proposed much later when the problems of biodiversity loss would be far more intractable.

Uncertainty

Biodiversity, like many environmental problems, is plagued by uncertainty. Uncertainty existed over the rate of biodiversity loss, its significance, and the proper policy response. Biologists do not know the order of magnitude of the number of species in existence, nor how rapidly they are disappearing. Nonetheless, there were many scientists very concerned with the rapid rate of habitat destruction—for which there was good evidence—and eager to see a stronger conservation regime in place. These concerns provided a scientific foundation for the emergence of the CBD. A basic building block of epistemic influence was in place.

Interpretation and Institutionalization

Members of the epistemic community were instrumental in encouraging the onset of negotiations. An IUCN team produced a draft treaty that served as the initial basis of the talks, and some of the proposed principles and commitments survived the negotiations. In this sense, governments, through UN bodies, turned to the epistemic community for advice. These experts provided, as epistemic theory predicts, a causal understanding (interpretation) of the problem and a set of policy prescriptions. But the expert community failed to become successfully institutionalized into national bureaucracies, and its influence proved ephemeral.

The issues about which these experts were primarily concerned, such as an ecosystems approach to conservation and better national biological surveys, were rapidly eclipsed by a penumbra of regulatory and redistributive issues. Interventions by states recast and expanded the contours of the debate.[48] Various national delegations seized upon the

[47] Peter Haas, "Introduction: Epistemic Communities and International Policy Coordination," *International Organization* 46 (Winter 1992), 3.

[48] For a similar account, see M. J. Peterson, "Whalers, Cetologists, Environmentalists, and the International Management of Whaling," *International Organization* 46 (Winter 1992).

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attractive opportunities present in the proposed "biodiversity solution."[49] They used the comprehensive, ecosystemic approach championed by the epistemic community to seek broad, tangentially related policy goals, such as wealth redistribution and technology transfer. They used the focus on incentives for conservation to demand changes in the allocation of property rights in biological resources, and they used the focus on biological inputs to technology to demand new restrictions on biotechnological inventions. While these and other issues clearly had relevance to biodiversity loss, they forced a shift away from the central concerns of the epistemic community. Conservation issues became secondary, providing perhaps legitimating reasons for regime commitments but not fundamentally shaping the core path of negotiations, the final regime commitments, or the policy responses of the U.S. and U.K. The community was unable to refocus governmental concern around those issues that they deemed most important and to deflect attention away from controversial sidelights like biosafety.

The influence of the epistemic community was reasserted in the U.S. after UNCED. By working with key individuals in industry and government, the community helped to initiate a reevaluation by critical societal actors and government officials. This reassessment, in conjunction with the change in administration following the 1992 election, allowed the U.S. to sign the treaty with support from diverse sources.[50]

Domestic Variables

Previous analysis has identified two domestic factors that affect epistemic influence: governmental porousness and traditions of environmental sentiment.[51] While scholars debate the degree that state porousness holds across all issue-areas, the U.S. is traditionally seen to have the more fragmented and accessible state.[52] Yet there was no discernible difference between the U.S. or U.K. in epistemic influence or institutionalization. There is little evidence that environmental sentiment, at least toward wildlife conservation, varies appreciably between the two states. Both have strong traditions of conservation activism and

[49]On problems and solutions, see the argument in John Kingdon, *Agendas, Alternatives, and Public Politics* (New York: Little, Brown, 1984).

[50] See letter to President Clinton, April 15, 1993, from the directors of Merck, Genetech, WWF, WRI, The Energy and Environment Studies Institute, and Shaman Pharmaceuticals, on file with author. The draft of the interpretative statement was used almost verbatim by the U.S. government.

[51]Haas (fn. 15).

[52]See, e.g., Katzenstein (fn. 17); also G. John Ikenberry, David A. Lake, and Michael Mastanduno, "Introduction: Approaches to Explaining American Foreign Economic Policy," in Ikenberry, Lake, and Mastanduno, eds., *The State and American Foreign Economic Policy* (Ithaca, N.Y.: Cornell University Press, 1988).

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similar levels of environmental protection.[53] The domestic variables identified by epistemic theory's proponents do not satisfactorily explain the observed variance in state behavior.

Explaining State Choice: Regulatory Politics and Biodiversity

The CBD negotiations entrained a wide-ranging set of economic issues that extended well beyond traditional conservation concerns. These had significant ramifications for the internal affairs of potential parties as well as for the profitability of select industries. These ramifications varied based on domestic institutions, societal preferences, and political commitments.

Institutions

In contrast to the fusion of powers in the British parliamentary system, the American system is, in Richard Neustadt's famous phrase, one of "separated institutions sharing powers."[54] Separation of powers, and with it the possibility of divided government, creates a competitive dynamic between the legislature and the executive. Each has distinct constituencies and capacities, and the need to adjudicate between the two entails and supports a strong independent judiciary. Like federal structure, separation of powers reflects political fragmentation. The British system is one of striking executive (cabinet) dominance and political integration. While Parliament is formally supreme, the executive and legislative powers are fused in the body of the cabinet: the "efficient secret" of British governance.[55] These broad-brush structural characteristics have significant implications for the implementation of regulatory commitments. Implementation under an integrated system of cabinet dominance is easier, and more predictable, than in the competitive and complex American system. The British executive who negotiates and signs international accords is in control of the implementing legislation (and ratification) of those accords.[56] Party discipline is strict, implementing legislation is relatively simple to pass, and there are few points of political access. By contrast the U.S. Congress can readily create major obstacles to implementation and ratification. Political access is wide-

[53] See, in particular, David Vogel, *National Styles of Regulation: Environmental Policy in Great Britain and the United States* (Ithaca, N.Y.: Cornell University Press, 1985).

[54] Richard Neustadt, *Presidential Power and the Modern Presidents* (New York: Free Press, 1990), 29.

[55] R. H. Punnett, *British Government and Politics* (Great Britain: Waveland Press, 1988); Gary Cox, *The Efficient Secret* (New York: Cambridge University Press, 1987); Simon James, *British Cabinet Government* (New York: Routledge, 1992); Wyn Grant, *Business and Politics in Britain* (New York: Macmillan, 1993).

[56] Formally, the power to conclude and ratify international treaties is invested in the Crown, without any need for participation by the Parliament. In practice, the cabinet exercises this power.

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spread and decentralized, and rare is the legislation that is not significantly altered in committee, floor, and conference negotiations. The power to interpret international commitments is diffused.[57] The courts, a central part of domestic U.S. environmental legislation, are critical players; it is ultimately domestic rules—and subsequent judicial interpretations and decisions—that transform international commitments into binding national law.[58]

These fundamental institutional characteristics are important for state choice in regulatory cooperation and also help to explain variance in domestic regulatory approaches. As many analysts have extensively documented, the U.S. and the U.K. traditionally had—and, despite a recent trend of convergence, continue to have—different structures and styles of environmental regulation.[59] These differences, which flow logically from the broad structural variations described above, can vary the practical effect of regime obligations.[60]

Brickman and his coauthors observe that "in spite of their shared common-law heritage, Britain and the U.S. seem to hold radically different views about the role of law in implementing public policy."[61] In the U.S. environmental regulation has been marked by adversarial, courtlike, and often litigious rule-making proceedings, formal legal challenges, and extensive citizen group input.[62] The dominant discourse

[57] "Once a treaty is made, the Senate has no special authority in relation to it. The President later interprets the treaty for purposes of executing it. Congress—both houses—interprets the treaty for legislative purposes. Courts may interpret it for their purposes. The Supreme Court's interpretation of a treaty made in deciding a case or controversy is authoritative for purposes of [U.S.] law and is binding on all courts as well as on the political branches." Louis Henkin, *Constitutionalism, Democracy, and Foreign Affairs* (New York: Columbia University Press, 1990).

[58] On the importance of courts in environmental regulation, see, e.g., R. Shep Melnick, *Regulation and the Courts: The Case of the Clean Air Act* (Washington, D.C.: Brookings Institution: 1983).

[59] One core difference is the role of courts. On the rise in the last twenty years in the comparative power of the British judiciary, see Bernard Schwartz, *Lions over the Throne: The Judicial Revolution in English Administrative Law* (New York: New York University Press, 1987); idem, "Wade's New Edition and Its Relevance for Americans," *Administrative Law Review* 42 (Winter 1990).

[60] Vogel (fn. 53); Ronald Brickman et al., *Chemical Regulation and Cancer: A Cross-National Study of Policy and Politics* (Ithaca, N.Y.: Program on Science, Technology, and Policy, Cornell University, 1982); Sheila Jasanoff, "Cultural Aspects of Risk Assessment in Britain and the U.S.," in Branden B. Johnston and Vincent T. Covello, eds., *The Social and Cultural Construction of Risk: Essays on Risk Selection and Perception* (Boston: D. Reidel, 1987), 359; Cynthia Enloe, *The Politics of Pollution in a Comparative Perspective: Ecology and Power in Four Nations* (New York: McKay, 1975).

[61] Brickman et al. (fn. 60).

[62] See especially Martin Shapiro, *Who Guards the Guardians? Judicial Control of Administration* (Atlanta: University of Georgia Press, 1988); R. Shep Melnick, "The Politics of Benefit-Cost Analysis," *Brookings General Series Reprints*, no. 442 (Washington, D.C.: Brookings Institution, 1991); and Richard Stewart, "The Reformation of American Administrative Law," *Harvard Law Review* 88, no. 7 (1975). On Anglo-American law, see P. S. Atiyah and R. S. Summers, *Form and Substance in Anglo-American Law: A Comparative Study of Legal Reasoning, Legal Theory and Legal Institutions* (New York: Oxford University Press, 1987); Richard Posner, *Law and Legal Theory in the U.K. and U.S.* (Oxford: Clarendon Press, 1996).

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of "rights" entails seemingly limitless litigation over the exercise and bounds of those rights. Environmental statutes often contain congressionally created "private attorneys general" clauses, by which citizen groups can bring suit against violators or even the executive itself for actions that contravene statutes and regulations.[63] Even executive agency inactions can be contested.[64] A separated, checked, balanced system is one with many competing actors and points of access, in which regulatory decisions are always subject to challenge.[65]

The fused, majoritarian, and centralized nature of the Westminister political system encourages a different approach to regulation. Competition between the branches—leading in the U.S. to pervasive legislative oversight, citizen-suit procedures, and the like—is constrained. British regulation is marked by ample and private industry consultation, greater flexibility, a dearth of courtlike proceedings, almost no citizen-suits and comparatively little litigation.[66] The U.K. has relied on regulation in a formal sense much less frequently than the U.S.:

> The most important technique for controlling the private sector is through heavy reliance on official discretion to make individualized orders. Typically, Parliament identifies a problem and enacts a general enabling statute conferring broad discretion on defined officials. . . . [A] graphic example is the control of air and water pollution.[67]

Moreover, "in the USA, the substance of regulations and the procedure by which they are made present issues which generate enormous controversy in political, judicial, and academic circles. In Britain, nearly everyone seems satisfied with . . . procedural and substantive aspects of delegated legislation."[68]

In sum, cross-national differences in the structure and process of regulation are and were substantial. The divergent responses of the Bush and Major governments to the CBD's regulatory provisions reflect these differences: the fear of litigation, of new regulatory initiatives, of adverse judicial interpretation, and of statutory impact in the U.S. have

[63] Cass Sunstein, "What's Standing after Lujan? Of Citizen Suits, 'Injuries,' and Article III," *Michigan Law Review* 91, no. 2 (1992); Lettie M. Wenner, "Environmental Policy in the Courts," in Norman Vig and Michael Kraft, eds., *Environmental Policy in the 1990s* (Washington, D.C.: Congressional Quarterly Press, 1994).

[64] *Environmental Defense Fund v. Hardin*, 428 F2d 1093 (Washington, D.C.: Circuit, 1970).

[65] John P. Dwyer, "Contentiousness and Cooperation in Environmental Regulation," *American Journal of Comparative Law* 35 (Fall 1987), 820–23.

[66] A. J. Waite, "An English Perspective on U.S. and U.K. Environmental Regulation," *Natural Resources and Environment* 5 (Summer 1990); Michael Asimow, "Delegated Legislation: United States and United Kingdom," *Oxford Journal of Legal Studies* 3 (Spring 1983); William Wade, *Administrative Law*, 6th ed. (New York: Oxford University Press, 1988); Dwyer (fn. 65).

[67] Asimow (fn. 66), 271.

[68] Ibid., 253.

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no parallel in the U.K. And as I describe below, these variations influenced as well the expectations, and therefore the demands, of firms likely to be influenced by the implementation of the CBD.

A second core institutional variation is constitutive structure: federalism versus unitarism.[69] Federalism entails a careful balancing of central-local powers and in the U.S. has spawned considerable and persistent legal and political controversy. The federal-unitary divide is the geographical and "vertical" counterpart to the functional and "horizontal" divide of separated or fused powers. Under the U.S. Constitution, treaties enacted by the federal government are the "supreme law of the land" and supersede inconsistent state law or policy.[70] A major fear of the U.S. was that the CBD could encroach upon the complex, constitutionally mediated structure of state and federal wildlife and land law. In the view of the Bush administration, the CBD might force the extension of "the responsibilities of government beyond our current, extensive federal management of biological resources."[71] For the U.K., as a unitary state,[72] local autonomy was not a major factor in the decision calculus, and concerns over states rights and constitutional barriers to implementation were nonexistent.[73]

Societal Actors

The societal actors in the U.S. and the U.K. most concerned with the CBD were biotechnology and pharmaceutical industries.[74] While the U.S. is clearly the world leader in biotechnology, biotech and pharmaceuticals are important industries in both states, and controlling for size, systematic economic differences are relatively small.[75] The U.K. pharmaceutical industry is world-class; Britain is home to over three hundred firms engaged in biotechnology, the second-largest pharmaceutical firm in the world (Glaxo), the eighth (SmithKline Beecham, a

[69] For an overview of federalism and international affairs, see Brian Hocking, ed., *Foreign Relations and Federal States* (Leicester, U.K.: Leicester University Press, 1993).

[70] International treaties have allowed the federal government to usurp certain otherwise protected state powers in the past; see *Missouri v. Holland*, 252 U.S. 416 (1921), which in fact related to international wildlife protection.

[71] "White House Memo Warns of Problems with Draft Biodiversity Convention," *BNA Environmental Law Update*, May 8, 1992. See also Henry Miller, "Is the Biodiversity Treaty a Bureaucratic Time-Bomb?" *Hoover Institution Essays in Public Policy* 56 (1995).

[72] While there are salient legal divisions within the U.K. (e.g., Scotland), it remains a unitary state. Arend Lijphart, *Democracies* (New Haven: Yale University Press, 1984).

[73] Bicameral federalism also enhances the difficulty of passing implementing legislation. The need to have agreement in both houses increases the likelihood of obstruction and/or change.

[74] Agribusiness interests have now become involved.

[75] U.S. Congress, Office of Technology Assessment, *Biotechnology in a Global Economy*, OTA-BA-494 (Washington, D.C.: U.S. Government Printing Office, October 1991), 241.

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joint U.S.-U.K. firm), as well as many other pharmaceutical enterprises.[76] The U.S. Office of Technology Assessment (OTA) reported in 1991 that in biotech "the [U.K.] most closely parallels the [U.S.], with a strong research base, an emphasis on basic research, and a reluctance on the part of government to articulate a clear . . . industrial policy." Spending in the U.K. for pharmaceutical R and D is the third largest in the industry, after the U.S. and Japan. Yet concerns over biotechnology-related provisions of the CBD were minimal in comparison to those of the U.S.. No patent officials joined the U.K. delegation, in contrast to the U.S. This divergence in view regarding the IPR implications of the CBD existed despite the fact that, according to the OTA biotech study, "United Kingdom intellectual property laws are strict, comprehensive, and rigorously enforced. The government's positions in international forums, such as the World Intellectual Property Organization and the [GATT] talks have been virtually identical to U.S. positions."[77]

Like government views, industry views of the CBD split across the Atlantic. While the heads of American peak associations referred to the treaty as "a lousy deal" favoring the "highway robbery" of biotech firms,[78] the executive director of the U.K. BioIndustry Association (BIA) stated that "having reviewed the convention, we do not share the concerns expressed by the U.S. government."[79] The BIA's position was that the text was ambiguous and therefore posed no threat to the British biotech industry. Within the U.K. government, the Department of Trade and Industry further assured British firms of the nonthreatening nature of the CBD's language.[80]

Other potentially interested societal actors played minor roles. Environmental NGOs were relatively uninvolved at the domestic level in both countries, with IUCN and WRI as obvious exceptions. Within the U.S., more activist NGOs devoted most of their energy to the simultaneous negotiations on climate change. In the U.K., while NGOs were consulted during the negotiations in the private sector meetings discussed above, the predominant focus was also climate change.

For both countries, then, the most prominent actors in the policy process were firms reliant on biological inputs. Yet there were no compelling economic differences that would indicate that British firms

[76] Ibid.

[77] U.S. Congress, OTA (fn. 75).

[78] Dick Godown, quoted in Andy Coghlan, "Biodiversity Convention a 'Lousy Deal' Says U.S.," *New Scientist* (July 4, 1992), 9.

[79] Ibid.

[80] Executive director, BIA, interview by author, London, June 8, 1994.

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should be more favorably disposed than U.S. firms toward the policy obligations of the CBD. Institutional variations explain the difference. Enduring expectations about regulation, stemming from differing historical practice and institutional setting, shaped the responses of key industries to the anticipated treaty-driven regulation.

American firms feared the CBD's impact in the courts and the regulatory process; British firms did not. Judicial intervention loomed large for both firms and executive-branch officials in the U.S.; one U.S. industry official observed, "We had to think in terms of a worst-case interpretation of the [CBD]." The history of contention in American regulation and the possibility of court-mandated compliance—a common feature of U.S. administrative law—induced caution toward CBD commitments "so fuzzy [they] could set a precedent for future disputes in U.S. courts."[81] American firms demanded a "clear domestic signal" about how the CBD would be implemented and interpreted before they could accept the treaty.[82] That signal was ultimately provided by the interpretative statements made at signature. While of limited international legal significance, the act is as a constraint on judicial interpretation of the treaty provisions in the United States.[83] Conversely, the relatively collegial, flexible, nonlitigious, and individuated style of British regulation created few incentives for concern on the part of British firms.[84] U.K. firms exhibited no worry over future litigation or adverse judicial interpretations of the CBD. Whether wholly accurate or not, the view espoused by analysts such as Richard Posner that the depth of parliamentary power in the U.K. has "virtually extinguished the policymaking role of the English judge" was (and remains) a powerful and popular one.[85] Confident in a safe, fair, flexible, and favorable implementation of the regime's rules, British firms lent the CBD their unqualified support.

[81] John Barton, in Stone (fn. 39). See also Robert Paarlberg, *Leadership Abroad Begins at Home: U.S. Foreign Economic Policy after the Cold War* (Washington, D.C.: Brookings Institution, 1995), 41–45, 75–82. Paarlberg notes that "the mere possibility of domestic litigation can discourage U.S. entry into international enviromental agreements" (pg. 76).

[82] Anonymous interview, U.S. government, by author, Washington, D.C., March 21, 1995.

[83] See the industry view in "Administration Gets High Marks on Interpretation of Biodiversity Treaty," *Biotechnology Newswatch*, December 6, 1993, p. 4.

[84] Despite perceptions that U.K. biotechnology firms are already more highly regulated than American firms, the evidence is mixed. The "regulatory increment" added by the treaty provisions may be greater in the U.S. than in the U.K. if this perception is true. But a recent study by British industry and government officials found no strong evidence for this view. See United Kingdom, Department of Trade and Industry, "Report of an Ostems Missions to Investigate the Regulation, Patenting, and Public Perception of Biotechnology in the U.S." (July 1993).

[85] Richard Posner, *The Federal Courts: Crisis and Reform* (Cambridge: Harvard University Press, 1985), 18–19. Posner continues, "Today in contrast to his American counterparts, he is really a technician, and behaves like a technician."

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Prior Legislation

Existing statutes form a central part of the corpus of domestic regulatory systems. Bush administration officials were very concerned about the legal implications of the CBD vis-à-vis core domestic statutory law, in particular the controversial Endangered Species Act and various wetlands protection laws. Conservatives considered the act a costly burden on property owners and an uncompensated regulatory "taking."[86] They feared that the CBD would, at a minimum, inhibit the rollback of the ESA they sought, and, at a maximum, could encourage its further extension. The independent power of the judiciary in the U.S. joined with political concerns over the rights of property owners and the economic costs of environmental regulation to generate potent incentives for domestic opposition to the CBD. No similar fears existed in the U.K.

Political Commitments

The prominence granted by the CBD's inclusion in the UNCED made the CBD a marker for political commitments on the environment. In the U.K. the Tory party had traditionally been a foe of regulatory initiatives. But Margaret Thatcher's well-noted speeches on environmental themes in 1989 and 1990 initiated a shift in emphasis toward greater attention to the environment, an increasingly salient issue in British politics.[87] The Conservatives saw UNCED and the CBD as opportunities to establish themselves as environmentalists of a sensible stripe. In the U.S. while President Bush had once campaigned as "the environmental president," by 1992 the continuing recession, lack of credit for his domestic environmental efforts, and a difficult primary encouraged Bush to return to core Republican themes—economic growth and limited government—and to disavow stronger environmental regulation. Bush's statements at the time portrayed him as an ardent defender of free markets and private property. Specifically, Bush stated that he was not "going to go down there [to UNCED] and forget about people that need jobs in the United States of America."[88] His public domestic commit-

[86] Under the U.S. Constitution no property may be "taken" without compensation. For an overview, see Joseph Sax, "Takings, Private Property, and Public Rights," *Yale Law Journal* 81, no. 3 (1971).

[87] For a discussion of these issues, see Environmental Data Services, "ENDS Report 165," September 1988; and Marc Levy, "The Greening of the United Kingdom" (Paper presented at the annual meeting of the American Political Science Association, Washington, D.C., 1991). The memberships of Greenpeace U.K. and Friends of the Earth U.K. increased by 600 percent between 1985 and 1989; Brenton (fn. 13), 126.

[88] Phillip Shabecoff, "Shades of Green in the Presidential Campaign," *Issues in Science and Technology* 9 (Fall 1992).

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ments, voiced prominently in an election year, were clear: to resist new, potentially costly regulatory measures.[89]

Thus political commitments reinforced the institutional variables described above. Tory attempts to seize the environmental high ground dovetailed with the considerable comfort exhibited by British firms (and the Tory cabinet) about the impact of the CBD commitments. Conversely, Republican antiregulatory commitments and election-year politics reinforced concerns, shared by both the Bush administration and many U.S. firms, about the potential effect of putting the CBD into practice within the U.S. regulatory system.

Explaining Divergent Responses to the Biodiversity Convention

The U.S. and the U.K. made distinctive choices toward the CBD, despite possessing the same basic interest in the protection of biodiversity—the putative goal of the CBD and the central focus of the epistemic community's efforts. Neither position in the international economy nor the direct impact of the problem itself explains this difference in state choice. Important industries were similar, and general practices toward central issues like IPR, virtually identical. Even many domestic factors, such as degree of public concern and NGO involvement, were roughly similar.

The biodiversity issue contained significant uncertainty. As predicted by epistemic community theory, experts played important roles as catalysts for policy coordination. The actions of this community were critical for the CBD's emergence and early form. Without the work of biologists, ecologists, and lawyers deeply concerned with the exponential growth rate of extinctions, the CBD most likely would not have come into existence. But while the epistemic community was clearly influential in the early stages of regime formation, one of the signal aspects of this case is the expansion of the agenda during negotiations. Once engaged by this issue, the involved states paid only limited attention to the interpretations of the expert community in formulating regime rules and, for the U.S. and U.K., in formulating choices toward the nascent regime and its commitments. Conversely, regulatory politics fails to account for the initiation of the negotiations. Industrialized states expected the new accord to improve substantially international biodiversity protection, but not to require significant new regulation or

[89] On the importance of foreign affairs commitments to voters, see John Aldrich, John Sullivan, and Eugene Borgida, "Foreign Affairs and Issue Voting," *American Political Science Review* (March 1989).

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domestic action by them.[90] This was a major source of their support. The result was an opportunity for the epistemic community to pursue the creation of a comprehensive new conservation regime.

The regime that emerged, however, was different. State choices in the CBD negotiations were determined by the suite of factors that comprises the regulatory politics approach. Implementation of the expanded CBD, relatively straightforward in the fixed, integrated U.K. system, was potentially difficult in the competitive, fragmented U.S. system and threatened to disrupt established patterns of federal-state regulation and strengthen disfavored domestic legislation. The divergent responses of the firms similarly stemmed from institutionally derived expectations about future regulation, a process of "anticipated implementation." And while the Bush administration perceived the treaty as a threat best capitalized on through rejection, the Tories saw the CBD as an attractive, easily implemented green gesture.[91] The same language, filtered through different domestic institutions, implied different outcomes in practice.

The two analytic perspectives are complementary. Epistemic analysis helps explain the existence of the negotiations and the contours of the initial debates. But as the negotiations grew far more politicized—reflecting the juxtaposition of environment and development that was the hallmark of the UNCED process—epistemic variables cannot account well for the observed decisions and outcomes. Conversely, regulatory politics tells us little about the inception of negotiations that were perceived initially to be simply an extension of existing conservation efforts. It provides a better understanding of why particular terms and forms of cooperation were demanded than of why cooperation for biodiversity protection was sought at all.[92]

Conclusions: State Choice and the Global Biodiversity Regime

The commitments of the biodiversity regime, ostensively alike for the U.K. and the U.S., had distinct domestic ramifications. Domestic struc-

[90] Anonymous interviews, U.S. government, by the author, Washington, D.C., March 16, 1995, April 3, 1995, and May 4, 1995; anonymous interviews, U.K. government, by the author, London, September 24, 1994, and October 13, 1994.

[91] Political incentives and new understandings of the danger of U.S. nonaccession, e.g., the lack of input into the biosafety talks, help account for change in the U.S. position. While U.S. industry viewed accession to the CBD more favorably over time, the Clinton administration also had pledged to pursue environmental protection vigorously.

[92] But this is not inherent in the approach. See Goldstein (fn. 17), who argues that domestic institutions and politics explain the choice by the U.S. to join an international institution that appeared to run counter to its interests.

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ture and regulatory institutions altered their practical significance and thus (in anticipation) domestic preferences toward them. While the biodiversity epistemic community helped set the international agenda, once these governments engaged the issue, it was the probable impact of the institutional solution, rather than of the underlying environmental problem, that was paramount.

This article's focus on domestic variables is not unique and reflects an increasing understanding that international politics cannot be adequately analyzed through international and/or systemic variables alone, whether the effects of the strategic environment (neorealism), dominant social structures (constructivism), or mediating international institutions (neoliberal institutionalism).[93] Domestic politics determines how "preferences are aggregated and national interests constructed."[94] The leading theoretical schools, however, view states as similarly impacted by generally undifferentiated (international) causal variables. While the burgeoning literature on two-level games explicitly ties domestic variables to international outcomes, most studies explore generalized scenarios and tactics that apply across diverse national settings.[95]

My claim is not that domestic institutions, the resulting expectations of societal actors, and political incentives are dominant in explaining all cooperative choices. Rather I have sought to establish the importance of a set of undervalued variables, demonstrate that they are central to understanding British and American behavior toward the biodiversity regime, point out their limitations, and argue that they are likely to matter in other situations where international commitments are complex and impinge on central domestic policy arenas and where "high politics" are not at stake—in short, much of the cooperation of today and, arguably, of tomorrow. In these situations strategic concerns, competitiveness, vulnerability, and even epistemic influence do not wash out but are instead supplemented—and, perhaps as here, dominated—by regulatory politics. Traditional international agreements demanded little that a state could not directly implement. Simple tariff-reduction

[93] On realism, see Kenneth Waltz, *Theory of International Politics* (Reading, Mass.: Addison-Wesley, 1979). On constructivism, see Alexander Wendt, "Constructing International Politics," *International Security* (Winter 1995). On neoliberal institutionalism, see Keohane (fn. 2).

[94] Helen Milner, "International Theories of Cooperation among Nations: Strengths and Weaknesses," *World Politics* 44 (April 1992). For an excellent recent study of domestic politics and international cooperation, see Beth Simmons, *Who Adjusts? Domestic Sources of Foreign Economic Policy during the Interwar Years* (Princeton: Princeton University Press, 1994).

[95] Peter Evans, Harold Jacobson, and Robert Putnam, eds., *Double-Edged Diplomacy: International Bargaining and Domestic Politics* (Berkeley: University of California Press, 1993); see especially Andrew Moravcsik, "Introduction: Integrating International and Domestic Theories of International Bargaining." See also Goldstein (fn. 17).

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accords, military alliances, and arms-control agreements typically addressed state actors and state actions. Newer forms of cooperation are marked by the degree to which they require states to engage in extensive and often uncertain domestic regulation (or deregulation) of diffuse private actors and economic activity. They engage and rely on persistent, legitimate, and stable national legal processes and institutions. While environmental accords are characteristic of this trend, accords in other areas, as varied as narcotics and capital adequacy, also commit states to particular forms of private sector regulation.[96] "Deep integration," in which states actively seek to harmonize and coordinate policies "behind the border," is increasingly the subject of academic analysis and policy debate.[97] Domestic politics and institutions are an inescapable part of the process of implementing deep accords.

The regulatory variables identified here can be major explanators of state choice toward cooperation. Moreover, I suggest, they can be major explanators of regime outcomes. While international agreements are the product of protracted debate and compromise within a structure of formal sovereign equality, not all states have an equal voice. The ultimate terms of cooperation in the CBD were dictated primarily by state power, specifically, U.S. power. The U.S. delegation was very successful in determining the final regime terms, despite its ultimate dissatisfaction with them. And as I have shown, U.S. domestic institutions significantly shaped these choices and demands. Other cases of environmental regime formation display a similar pattern: the contemporaneous climate-change treaty, for example, reflects U.S. persistence in fighting the inclusion of binding quantitative targets and timetables for CO_2 emissions reductions;[98] the recent evolution of the whaling and stratospheric ozone regimes present a similar story.[99] After the U.S. Supreme Court upheld the patenting of biological inventions in Diamond v. Chakrabarty, the U.S. sought and won similar international

[96] On the implementation of environmental regimes, see David G. Victor, Kal Raustiala, and Eugene Skolnikoff, eds., *The Implementation and Effectiveness of International Environmental Commitments* (Cambridge, MIT Press, forthcoming). On capital adequacy, see Ethan Kapstein, "Between Power and Purpose: Central Bankers and the Politics of Regulatory Convergence," *International Organization* 46 (Winter 1992). The 1988 Convention on Illicit Trafficking in Narcotics commits parties, inter alia, to monitor and regulate the production of chemical precursors and manufacturing equipment.

[97] These phrases come from the recent twenty-one-volume series by the Brookings Institution entitled *Integrating National Economics: Openness, Diversity, and Cohension*; in particular, see Robert Lawrence, Albert Bressand, and Takatoshi Ito, *A Vision for the World Economy* (Washington, D.C.: Brookings Institution, 1996).

[98] Daniel Bodansky, "The United Nations Framework Convention on Climate Change: A Commentary," *Yale Journal of International Law* 18, no. 2 (1993).

[99] Edward Parson, "Protecting the Ozone Layer" in Peter Haas, Robert Keohane, and Marc Levy, eds., *Institutions for the Earth* (Cambridge: MIT Press, 1993); Richard Benedick, *Ozone Diplomacy* (Cambridge: Harvard University Press, 1991); Peterson (fn. 48).

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protections in the TRIPS accords.[100] Cooperative solutions are not distributionally neutral. Powerful states generally choose where on the Pareto frontier the cooperative solution shall rest.[101] Domestic political and institutional variables are important sources of such choices. As a result law—domestic law—emerges as a potentially powerful factor in explaining cooperative outcomes.

Environmental regimes, like nearly all regulatory regimes, must be domestically implemented in an often complex and uncertain legal and political process. When international regimes require parties to engage in such a process, existing domestic institutions are used or adjusted. The implementation of international commitments must mesh reasonably with these institutions, or governments will seek to alter the commitments accordingly.[102] This dynamic is likely to operate most powerfully when implementation is complex and extensive, and political stakes are relatively low. But as regulatory agreements proliferate and the line between domestic and international policy fades, domestic institutions will play an ever more prominent role in determining state choices toward cooperation and, ultimately, in determining international outcomes.

[100] 447 U.S. 303 (1980); see also *In re Hibbard*, 227 U.S. P.Q. 443 (1995).

[101] See Stephen Krasner, "Global Communications and National Power: Life on the Pareto Frontier," *World Politics* 43 (April 1991).

[102] Governments may intentionally use international agreements as levers to circumvent or alter domestic institutions or processes; see, e.g., Goldstein (fn. 17).

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Research Note

HUMAN RIGHTS VIOLATIONS, UMBRELLA CONCEPTS, AND EMPIRICAL ANALYSIS

By JAMES M. MCCORMICK and NEIL J. MITCHELL*

ONLY in the last decade or two have political scientists begun systematic, cross-national research on government violations of human rights. The primary research focus has been the rights associated with the "integrity of the person." At least two factors account for this relatively recent attention: the interest of President Jimmy Carter and Congress in setting human rights as a goal of American foreign policy and the publication of country-by-country accounts of human rights performance by the U.S. Department of State, Amnesty International, and Freedom House. As the issue rose on the political agenda and as data sources for large cross-national analyses became available, scholarly interest quickly developed.[1] In this sense, human rights research has been driven as much by policy priorities and data availability as by theory.

Recent empirical work reflects both the strengths and the weaknesses of this sort of approach to social science analysis. Consider the research by Steven Poe and C. Neal Tate, who conducted the most ambitious recent empirical analysis of human rights violations. As they rightly note, "The data set we employ clearly represents the most comprehensive yet analyzed."[2] Indeed, by building on the pioneering work of Carleton and Stohl, they collected annual data on human rights vio-

* Thanks are due to Kathy Shelley for assistance with the data preparation for this study and to Mack Shelley and Wendy Hansen for assistance with several statistical questions

[1] See, for example, David Carleton and Michael Stohl, "The Foreign Policy of Human Rights: Rhetoric and Reality from Jimmy Carter to Ronald Reagan," *Human Rights Quarterly* 7 (May 1985); and Neil J. Mitchell and James M. McCormick, "Economic and Political Explanations of Human Rights Violations," *World Politics* 40 (July 1988).

[2] Poe and Tate, "Repression of Human Rights to Personal Integrity in the 1980s: A Global Analysis," *American Political Science Review* 88 (December 1994), 853.

World Politics 49 (July 1997), 510–25

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lations for 153 countries over an eight-year period, and, using a cross-sectional, time-series design, they examined the relative impact of several independent variables, drawn largely from the extant literature. In turn, they reached a number of conclusions, for example, about the role of democracy in reducing human rights violations and about the role of international and domestic threats in exacerbating them.[3] Their work represents an advance in terms of quantity of data analyzed, methodological sophistication, and the number of independent variables included in the analysis.

For all that this is an advance, however, we do have reservations about this and related analyses in terms of their tendency to treat a multidimensional concept unidimensionally.[4] In line with the developments in other areas of the discipline, we believe that theoretical and policy progress in the human rights area depends on recognizing the separate dimensions of the concept "repression of human rights to personal integrity."[5] Indeed, recognizing the dimensions of concepts is a well-established principle in the comparative methodology literature, and the theoretical and empirical maturation of research in other areas of the discipline has depended on this recognition. The argument of this research note is a theoretical and methodological one that hinges on the problems of information loss and missed analytical opportunities arising from the failure to disaggregate the concept appropriately. In addition, in the second part of this research note, we illustrate these problems with some cross-national human rights data from the 1980s. We demonstrate both conceptually and empirically that unidimensional treatment of human rights confounds two important components of the concept—the use of imprisonment and the use of torture and killing—and generally produces a measure closer to the latter than to the former. Future research needs to recognize the detrimental normative and analytical consequences of a unidimensional treatment of the human rights concept and should analyze its important components separately.

Human Rights Violations: A Multidimensional Concept

More than two decades ago Ivan Vallier stressed the importance of "extricating the implied dimensions" of "master concepts," such as "mod-

[3] Ibid., 866–67.

[4] See Carleton and Stohl (fn. 1); David L. Cingranelli and Thomas E. Pasquarello, "Human Rights Practices and the Distribution of Foreign Aid to Latin American Countries," *American Journal of Political Science* 29 (August 1985); and Conway Henderson, "Conditions Affecting the Use of Political Repression," *Journal of Conflict Resolution* 35 (March 1991).

[5] Poe and Tate (fn. 2), 853.

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ernization." Vallier described the procedure as "disaggregating a concept or the exhausting of its analytical components."[6] In a similar vein Robert Jackman revisited this same issue about a decade ago and put the concern more directly:

> [V]ariables are supposed to be unidimensional. While this may seem rudimentary, the literature on comparative politics is replete with umbrella concepts that carry too much baggage to be reducible to a *single* unidimensional variable. Examples of such broad concepts include system support, political culture, modernization, democratic stability, mobilization, political institutionalization, and post-industrialism. Instead of identifying a potentially unidimensional variable, each of these concepts identifies a broad constellation of factors, which may or may not be empirically inter-related . . . it is important to focus on their separate components if we are to make meaningful empirical statements about these problem areas.[7]

In our judgment, repression of human rights should be added to the list of master, or umbrella, concepts.

Before discussing the dimensions of this concept, let us focus more generally on the possible empirical and theoretical dividends of separating out the components of a concept. Research on human rights views the individual as a *subject* of political control in her or his relationship to government. Consider, however, the individual in the role of *citizen* and *political participant*. A critical step in the analysis of individual participation in the political process is the recognition that "political participation" as a concept is not unidimensional. To be sure, in early research, participation "was considered to be a unidimensional phenomenon. The main distinction across political actors was the extent of their 'activeness'—essentially how much effort they put into political participation."[8] Yet Verba, Nie, and Kim also argued that the conceptualization must reflect, not only level of activity, but also type of activity. That is, political participation includes voting, campaign activity, citizen-initiated contacting, and cooperative activity. They agued that "the failure to distinguish among types of participation is . . . in large part responsible for many of the ambiguities in the findings about participation and its role in democracies—what causes it to increase or decrease, how it affects the allocation of social values, and so forth."[9]

[6] Vallier, "Empirical Comparisons of Social Structure: Leads and Lags," in Vallier, ed., *Comparative Methods in Sociology* (Los Angeles: University of California Press, 1971), 223.

[7] Robert Jackman, "Cross-National Statistical Research and the Study of Comparative Politics," *American Journal of Political Science* 29 (February 1985), 169, emphasis in original.

[8] Sidney Verba, Norman H. Nie, and Jae-on Kim, *Participation and Political Equality: A Seven-Nation Comparison* (Cambridge: Cambridge University Press, 1978), 52.

[9] Sidney Verba, Norman H. Nie, and Jae-on Kim, *The Modes of Democratic Participation: A Cross-National Comparison* (Beverly Hills, Calif.: Sage Publications, 1971), 8.

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Theoretically, the disaggregation of the concept led to the progressive realization that the different actions fit different structures of motivations, opportunities, and resources. In the case of participation, voting is a lower cost, "broad" benefit activity. In contrast, contacting is a higher cost, "narrow" benefit activity.[10]

The development of the political participation concept, then, is highly suggestive for the concept of human rights violations, where individuals are the subjects of political control. However, the dominant approach in empirical work on human rights violations is to treat the concept unidimensionally. Advocating this approach, Poe and Tate say: "We believe that it can be persuasively argued that the two dimensions postulated by Mitchell and McCormick stem, in reality, from the one dimension that Stohl and his colleagues tap—that both torture/killing and imprisonment are rooted in a regime's willingness to repress its citizens when they are considered a threat."[11] One can have no great quarrel with the statement about the "roots" of repression—any more than Verba, Nie, and Kim would quarrel with a statement that participation is "rooted" in the citizen's willingness to influence his or her government. Nevertheless, that view does not provide a persuasive rationale for aggregating data on imprisonment and torture/killing (or for that matter, data on voting, campaign activity, citizen contacting, and cooperative activity) in the same conceptual container.

Instead, we contend that human rights violations differ in type not just amount, such that they cannot be clearly represented on a single scale. That is, there is a substantive difference between the use of imprisonment on the one hand and the use of torture and killing on the other.[12] Substantively, these are quite different types of government activity, with differing consequences for the victims, differing use of governmental resources and capabilities, and differing costs for the government, both domestically and internationally. Normatively, too, there is a considerable distance between a regime that relies on imprisonment as a method of political control and one that relies on torture and killing.

This normative distinction provides a basis for arguments about the universal as opposed to culturally relative nature of human rights and even about the interpretation of international law concerning human rights. Bilahari Kausikan,an official in Singapore's Ministry of Foreign

[10] See Jan E. Leighley, "Field Essay: Attitudes, Opportunities and Incentives: A Field Essay on Political Participation," *Political Research Quarterly* 48 (March 1995), 182. See also John Aldrich, "Rational Choice and Turnout," *American Journal of Political Science* 37 (February 1993).

[11] Poe and Tate (fn. 2), 855.

[12] In fact, the logic of the argument would extend to disaggregating torture from killing as a third dimension.

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Affairs, argues that the "myth of the universality of all human rights is harmful if it masks the real gap that exists between Asian and Western perceptions of human rights,"[13] and he asserts that

> future Western approaches on human rights will have to be formulated with greater nuance and precision. It makes a great deal of difference if the West insists on humane standards of behavior by vigorously protesting genocide, murder, torture, or slavery. Here there is a clear consensus on a core international law that does not admit derogation on any grounds. The West has a legitimate right and moral duty to promote those core human rights. . . . But if the West objects to, say, capital punishment, detention without trial, or curbs on press freedoms, it should recognize that it does so in a context where the international law is less definitive and more open to interpretation.[14]

Whether or not one agrees with this more restrictive definition of human rights, the important point here is that such discussion reinforces the argument that imprisonment and torture are qualitatively different activities. Regimes choose different mixes of these methods of political control, a variation that is masked by a one-dimensional scale. For governments or their agents considering violating human rights, the choice of one activity in addition to or over another will depend, in part, on their calculation of the costs and benefits. The costs refer not just to the deployment of their own resources but to the possibility of externally imposed costs, such as international sanctions. These costs will likely vary with the normative differences in the activities. The use of torture and killing carries the likelihood of higher external costs, and governments implicitly recognize this when they opt, for example, for "disappearing" victims rather than killing them. Furthermore, there may be different "benefits" attached to the use of torture or imprisonment. The agents themselves, police or soldiers, may derive more specific benefits—from sadistic pleasure to direct monetary gain—from the choice of one type of repression over another. In this policy area, as with any other, implementation is a critical stage, such that the narrower aims or purposes of those charged with implementation may deserve separate theoretical consideration. We must recognize the possibility of what might be called "entrepreneurial repression," where police forces act independently to use their coercive powers corruptly in their personal interest.[15]

[13] Kausikan, "Asia's Different Standard," *Foreign Policy* 92 (Fall 1993), 32.

[14] Ibid., 39–40.

[15] One analysis of the use of torture by police in India argues that because they have low status and low pay "as with many other Indian officials they feel driven to supplement their incomes. The detainees themselves, or their families, are threatened with torture if they do not bribe the police—a threat that can work only if those who do not pay, or cannot pay, are in fact tortured." See David J. Rothman and Aryeh Neier, "India's Awful Prisons," *New York Review of Books* (May 16, 1991), 54.

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If regimes see these practices as less or more acceptable, as argued by Kausikan, and frame their choices accordingly, then efforts to explain (and change) these practices will have to take these differences into account. Further, insofar as political scientists aim to generate knowledge that is useful to "governments, international organizations, and sub national actors . . . interested in improving respect for personal integrity around the world,"[16] they will have to be sensitive to the different types of activity, the different meanings attached to them in different contexts, and the nature of the political challenge.

Composite Indices and Human Rights Violations

Beyond the normative and methodological arguments for separating umbrella concepts, like human rights violations, into their important components, there are conceptual and empirical arguments that center on measurement clarity, ease of interpretation, and loss of information. Because we had collected and coded data for 1984 and 1987 from one of the same sources (*Amnesty International Reports*) that Poe and Tate used in their larger analysis and because they have generously provided their data, we can undertake several different kinds of tests to compare the two approaches for this same data source and across the same countries at the same time.

Let us first describe each coding scheme briefly. For their human rights measure, Poe and Tate used a composite index composed of a five-point ordinal scale, based on Freedom House's coding rules.[17] A score of 1 was a country "under a secure rule of law, people are not imprisoned . . . , and torture is rare or exceptional." By contrast, a score of 5 is a country where "the terrors of [level 4] have been expanded to the whole population." For our human rights measure, we developed two indices for each country, one based on the degree of arbitrary imprisonment and the other based upon the systematic use of killings and torture of prisoners.[18] Each index ranged from 0, where a country had no violations on that dimension, to 4, where a country had frequent violations.[19]

Although the Poe and Tate index was developed with a good level of intercoder reliability, there remain more fundamental problems in interpreting its meaning. We can begin by examining the definitional

[16] Poe and Tate (fn. 2), 867.
[17] Ibid., 867–68.
[18] See Mitchell and McCormick (fn. 1), 483–85.
[19] Quantitative levels were employed to make this gradation. See Mitchell and McCormick (fn. 1), 485 n. 17.

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construction of the index. Table 1 separates out the two major dimensions that are mixed in Poe and Tate's composite measure and identifies the key words in the coding rules that describe the level of activity on each dimension. Note first that for the imprisonment dimension the level of activity has to increase with each rank, whereas for the torture and killing dimension the level of activity is about the same for countries scoring a 1 or a 2, and quite possibly for countries scoring a 3 with the use of the conditional phrase ("may be common"). Only with countries ranked 4 or 5 could one be sure that torture and killing is greater than "rare." But at these ranks the distinctions concerning imprisonment ("more than extensive," and the "whole population") become more blurred. Further, as defined, the approach does not exhaust all the logical possibilities.[20] Although the missing possibilities are quite rare, there is no ranking for instances where governments or their security forces have a "take no prisoners" strategy: that is, cases where imprisonment rates are relatively low (less than extensive) but where torture and killing are widespread.[21]

In effect, the composite scale is more likely to capture the incidence of imprisonment better than the incidence of torture and killing at the lowest values of the scale; and it is more likely to capture the incidence of torture and killing better than the incidence of imprisonment at the highest values. As the two dimensions are not equally represented at each value on the composite scale, there is no reason to expect that they would be equally represented in any overall sense. By mixing the dimensions in this way, we lose considerable information about the global condition of human rights and can conceivably misconstrue the conditions within individual countries. Analytically, we lose the possibility of examining the choice strategies, the logic behind them, and the degree of complementarity between these separate methods of political control.

To this point the discussion has been definitional and conceptual, rather than empirical. Yet it is nevertheless interesting to examine how the logic of the composite scale manifests itself empirically, and how the separate dimensions are confounded in the composite scale. A simple correlational analysis of the prisoner and torture scales for 1984 and 1987 and the composite index illustrates that while, as one would ex-

[20] For a discussion of the logical criteria of classification, see Arthur L. Kalleberg, "The Logic of Comparison: A Methodological Note on the Comparative Study of Political Systems," *World Politics* 19 (October 1966).

[21] It is not simply genocidal regimes such as that in Nazi Germany or in Cambodia under Pol Pot that might aim for this combination of human rights violations. Take, for example, Amnesty International's description of human rights violations in the Philippines in its 1988 report. Descriptions focus almost entirely on extensive killings and disappearances, not on imprisonment of political dissidents.

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TABLE 1
THE POSSIBLE DIMENSIONS OF POE AND TATE'S UNIDIMENSIONAL HUMAN RIGHTS MEASURE

Scale	*Political Imprisonment*	*Torture/Killing*
1	none	exceptional/extremely rare
2	limited	exceptional/rare
3	extensive	may be common
4	more than extensive	common
5	whole population	whole population

pect, all these scales are related, they are by no means identical. For the prison and torture scales for 1984 and 1987, the correlations were .60 and .64, respectively. The composite index is somewhat more closely associated with torture (.70 and .73 in 1984 and 1987, respectively) than imprisonment (.56 and .63).[22] What these summary statistics cannot help us with, however, is the question of the locus of the particular mixes of imprisonment and torture on the composite scale, and the modeling implications of mixing the measurements of imprisonment and torture decisions for a set of independent variables. It is to these issues that we now turn.

First, is it the case, as our analysis of the composite scale's coding scheme suggests, that for these data imprisonment is "captured" better at the lower end of the composite scale than is torture? A simple cross-tabular display is the most direct way to address this question. Figure 1 shows the percentage of cases (countries) that fall on the diagonal when the composite scale (1–5) is cross-tabulated with the prisoner and torture scales (0–4 for each). If, as expected, different specific values of the composite scale reflect different mixes of imprisonment and torture, then we expect variation between the imprisonment and torture scales in the proportion of cases that fall on the diagonal for the values of the composite scale. We should see greater agreement between the composite scale and the imprisonment scale (as opposed to the torture scale) at the lower values. Conversely, we should see greater agreement between the composite scale and the torture scale (as opposed to the imprisonment scale) at the higher values.

These expectations are generally borne out in Figure 1. The top portion of the figure shows quite vividly that the imprisonment scale is most closely associated with the composite scale at the two lowest val-

[22] There were 115 cases to analyze for 1984 and 125 cases for 1987. For each year, there were a small number of cases that Poe and Tate did not include because they lacked data on one or more of the independent variables they were analyzing.

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Mitchell and McCormick Prisoner Index[a]

Poe and Tate Compositie Index		0	1	2	3	4
1		75.0%*				
		81.8%				
2			62.5%			
			81.3%			
3				26.3%		
				21.7%		
4					13.5%	
					12.0%	
5						12.5%
						20.0%
N	1984	8	8	38	37	24
	1987	11	16	23	50	25

Mitchell and McCormick Torture Index[a]

Poe and Tate Compositie Index		0	1	2	3	4
1		21.4%*				
		28.6%				
2			76.9%			
			73.7%			
3				51.6%		
				58.1%		
4					37.0%	
					19.2%	
5						43.8%
						28.6%
N		28	13	31	27	16
		28	19	31	26	21

FIGURE 1
CROSS-TABULATION OF POE AND TATE'S COMPOSITE HUMAN RIGHTS INDEX WITH MITCHELL AND MCCORMICK'S PRISONER INDEX AND TORTURE INDEX (1984, 1987)

[a]The first entry is the percentage of correspondence between the rankings of countries on the two scales for the 1984 data, while the second entry is the degree of correspondence for the 1987 data.

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ues. These results are largely the opposite for the torture scale. The torture scale rather than the imprisonment scale is more closely associated with the composite index at the higher values. The relatively high correspondence between the torture scale category 1 and the composite scale category 2 is understandable. This represents a clear point of definitional correspondence between the two scales. Recall that the torture dimension on the first two, and possibly even three, categories of the composite scale is defined as "exceptional/rare." Only category 1 on the torture scale is defined in this way—" 'rarely' referred to countries in which one to ten cases of political prisoners or incidents of torture or killing were reported by Amnesty International."[23]

A second way to assess the impact of the separate dimensions on the composite scale is to regress this scale on both the prisoner and torture scales. This approach is comparable to Kenneth Bollen's use of regression analysis to disentangle the components of measures of democracy.[24] Table 2 shows those results for 1984 and 1987.[25] The torture and killing scale is the more powerful influence. Indeed, as the beta weights indicate in both equations, the torture scale is about twice as large as the prisoner scale, indicating the importance of that measure in predicting the ranking of a country on the composite scale. Both equations have reasonably large amounts of explained variances (50 percent or more in both cases), and the results are consistent across the two different years, providing additional confidence in our analyses.[26]

Yet a third way to assess the relative merits of the composite scales and the separate prisoner and torture scales would be to regress each on a common set of independent variables. If these dependent variables are capturing the same underlying process, we should expect to find substantial overlap in the number of significant variables with each of the different dependent variables. If we find differences between the composite scale and the prisoner and torture scales and, in turn, between

[23] Mitchell and McCormick (fn. 1), 485 n. 17.

[24] Kenneth A. Bollen, "Issues in the Comparative Measurement of Democracy," *American Sociological Review* 45 (June 1980).

[25] We also ran a Kolmogorov-Smirnov Z test of normality for the dependent variable, the composite scale, for 1984 and 1987. In both instances, the scale was not normally distributed and thus some caution must accompany the interpretation of our regression results. Because we are working with a population of data and because we are employing a series of other tests, we believe that it is useful to report the regression results to obtain an overall portrait of the relationship among the three human rights scales.

[26] As a further check on our analysis, we employed a discriminant analysis using the prisoner scale and the torture scale in separate runs as predictors of the placement of countries on the composite scale. In general, the results imply that both the prisoner and torture scales are more predictive of values at the high and low ends of the composite scale. While these results are not wholly consistent with our other analyses, they do suggest some distinctive emphases within the composite scale.

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TABLE 2
REGRESSION ANALYSIS OF POE AND TATE'S COMPOSITE INDEX ON MITCHELL AND MCCORMICK'S PRISONER AND TORTURE INDICES[a] (1984 AND 1987)

	1984		*1987*	
	Reg. Coeff.	*Beta Weight*	*Reg. Coeff.*	*Beta Weight*
Prisoner index	.20*	.23	.22*	.25
	(.07)		(.07)	
Torture index	.40*	.56	.42*	.56
	(.06)		(.06)	
Adjusted R-squared	.51		.56	
N	115		125	

*Significant at the .01 level

[a]The standard errors of the regression coefficients are in parenthesis.

the prisoner and torture scales, such results add further credence to disaggregating this umbrella concept because different factors seemingly account for its various components.

Fortunately, we can undertake this comparison, since the two years for which the prisoner and torture scales are available overlap with two of the eight years in the Poe and Tate analyses. Because the Poe and Tate dependent and independent variables have been made available to researchers,[27] we can calculate comparable regression models for 1984 and 1987 with the only difference being in the choice of the dependent variable. (Unfortunately, we cannot carry out the pooled, cross-sectional, time-series analyses originally reported by Poe and Tate because the Mitchell and McCormick measure does not exist for the other six years.)

In order to do these analyses, however, we still had to make several important research decisions to maximize comparability. First, as noted earlier, we selected only those countries that were coded in both the Poe and Tate and the Mitchell and McCormick datasets. This gave us 115 countries for 1984 and 125 countries for 1987. Second, we used only the Amnesty International measure from the Poe and Tate data, since Amnesty International was also the data source for the one developed by Mitchell and McCormick. Third, for the democracy measure in the regression equations we relied upon the Vanhanen index, rather than the Freedom House measure (Poe and Tate report results for both), since Poe and Tate acknowledge that some overlap exists between the

[27] The data are available through the following website: http://www.psci.unt.edu/ihrsc/. For ease of analysis, we truncated some of Poe and Tate's independent variables to two decimal places. Such a design decision should not affect the interpretations offered here.

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Freedom House measure and the dependent variable.[28] By making these analytic decisions, we enhance the degree of comparison between the two approaches and thus focus attention principally on the role of the differing dependent variables.

On a cautionary note, this third test is based not only on the characteristics of the different human rights scales but also on the quality of the set of independent variables already in the model. Thus, if the independent variables are weak or poorly specified or measured, we cannot have much confidence in conclusions drawn from the differences or similarities across the various measures of the dependent variable.[29] Furthermore, we should add that these results are not definitive on the role of these variables in accounting for human rights violations; rather, they are illustrative of the differing results one obtains for some previously used predictor variables when employing alternative measures of human rights violations. Finally, an additional complicating factor, of course, is that we are employing ordinary least squares regression for this test with dependent variables that are ordinal, not interval.

The coefficients for these regression analyses with the differing dependent variables are reported in Table 3. In their pooled analysis, Poe and Tate find four of their ten variables significantly related to their composite measure: civil war, international war, democracy, and population size. There is little overlap in the variables that are significant with the composite scale and the separate prison and torture indices. Across the six equations, only the civil war variable appears important in affecting violations of human rights, regardless of the dependent variable chosen (excepting the prison index, 1987). Besides civil war, the only other variable that produces any consistency across the measures is the logged population variable, a measure simply connoting that the size of a country affects the magnitude of human rights violations. (Because Amnesty International's reporting procedure does not take into account the population size of countries, analysts must control

[28] On this point, see Poe and Tate (fn. 2), 856–57.

[29] Poe and Tate operationalize their influential civil war variable in terms of number of deaths, the government "involved as a direct participant in the war," and the assumption that "there must be effective resistance" on the nongovernment side. This may provide them a distinction between genocide and civil war, as they assert, but it does not permit the confident assertion that civil war as a "concept is kept distinct from our dependent variable"; Poe and Tate (fn. 2), 859. There is likely considerable circularity between the measurement of civil war and the measure of government "repression of human rights to personal integrity," particularly at the high end (values 4 and 5 of the dependent variable). Thus, the interpretation of the relationship between the civil war variable and the dependent variable should be treated carefully.

Finally, we should note that while Table 4 reports a significant relationship for leftist government control and the unidimensional measure of human rights violations for 1984, the coefficient has the wrong sign, as it had in Poe and Tate's pooled analysis; Poe and Tate (fn. 2), 861.

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TABLE 3
REGRESSION COEFFICIENTS[a] FOR POE AND TATE'S INDEPENDENT VARIABLES[b] WITH THREE HUMAN RIGHTS MEASURES (1984, 1987)

	Poe and Tate		*Mitchell and McCormick*			
	Composite Scale		*Prison Index*		*Torture Index*	
	1984	*1987*	*1984*	*1987*	*1984*	*1987*
Economic						
PCGINC	.004	.0008	.012**	.002	.004	.0005
	(.004)	(.003)	(.005)	(.003)	(.006)	(.004)
PCGNP	−.064**	−.038*	−.019	−.034	−.032	−.053*
	(.021)	(.018)	(.025)	(.023)	(.034)	(.027)
Political						
VANHDEMO	−.014	−.011	−.022*	−.022	−.028*	−.021
	(.009)	(.009)	(.010)	(.012)	(.014)	(.014)
LEFT	−.416*	.127	.329	.277	−.289	−.116
	(.206)	(.216)	(.238)	(.276)	(.326)	(.316)
MILCTR2	.110	−.072	−.100	.255	−.009	−.011
	(.182)	(.177)	(.210)	(.226)	(.288)	(.259)
Cultural						
BRITINFL	−.394*	−.339*	−.388*	−.090	−.017	−.249
	(.164)	(.169)	(.190)	(.215)	(.260)	(.247)
War						
CWAR	.987**	1.143**	.903**	.089	1.037**	.814*
	(.246)	(.235)	(.285)	(.300)	(.390)	(.344)
IWAR	.977**	.801**	.987**	.733*	.564	.372
	(.275)	(.288)	(.318)	(.368)	(.435)	(.422)
Population						
LPOP	.090	.137**	.108*	.231**	.203**	.316**
	(.048)	(.047)	(.055)	(.060)	(.075)	(.069)
POPINC	.049	.053	.132*	.017	.174	−.027
	(.057)	(.056)	(.066)	(.071)	(.090)	(.082)
Adjusted R-squared	.39	.38	.36	.25	.22	.27
N	115	125	115	125	115	125

*Significant at the .05 level
**Significant at the .01 level

SOURCES: Data and variable definitions were provided by Steven Poe and C. Neal Tate at their International Human Rights Center site on the world wide web (http://www.psci.unt.edu/ihrsc/).

[a]The entries are unstandardized regression coefficients for the six different regression equations using different operationalizations of the dependent variable. The standard errors of the regression coefficients are in parenthesis.

[b]The variables are defined as follows:

PCGINC=yearly percentage increase in GNP per capita
PCGNP=corrected GNP per capita (in 1000s)
VANHDEMO=Vanhanen Democratization Score
LEFT=Leftist Regime Dummy Variable

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TABLE 3 (*cont.*)

MILCTR2=Dichotomous Military Control Variable
BRITINFL=British Government Influence Dummy Variable
CWAR=Civil War Dummy Variable
IWAR=International War Dummy Variable
LPOP=Logged Population Variable
POPINC= Yearly Percentage Increase in Population, 1980–87

for this factor.) For ease of presentation, we have grouped the other variables into the political, economic, and cultural categories and find that only scattered commonalities occur across these different measures. Thus, for example, per capita income and British influence are significant for the composite scale but the former is only significant for the torture index in 1987 and the latter for the prison index in 1984. Although democracy is an important factor in their eight-year analysis, it has little impact on the Poe and Tate measure for the years in this analysis. It is, however, important for the prison and torture analyses for 1984.

The results seem to suggest a substantial difference between the predictor variables and the Poe and Tate dependent measure and Mitchell and McCormick measures (taken as a group), but are the predictors sufficiently different for the separate indices to warrant the use of the prisoner/torture distinction? Here the results provide some support for our contention that imprisonment and killing are distinct strategies that produce some scattered contrasts in significance and direction of the relationships. Focusing on the war variables, civil war is generally significant for the imprisonment and torture scales, but some differences between the imprisonment and torture and killing scales emerge for international war. For three of the independent variables (LEFT, MILCTR2, and POPINC), the direction of the relationship changes for the differing dependent measures. For the other variables, there are differences in the size of the coefficients across the different measures of the dependent variables, and some prove statistically significant.[30]

[30] We computed t-tests for the differences between the unstandardized coefficients (assuming independence) for each model with the other two (that is, the composite model with the prison model, the composite model with the torture model, and the prison model with the torture model) for each year. For the 1984 data, three differences were significant: the coefficients for the LEFT variable for the composite and prison measures were significantly different from one another at the .05 level, the coefficients for the LPOP variable with the composite and torture measures were significantly different at the .10 level, and the coefficients for the LEFT variable with the prison and torture models were significantly different at the .10 level. For the 1987 data, three were significant as well: the coefficients for the CWAR variable for the composite and prison models (.01), the coefficients for the LPOP variable for the composite and torture models (.01), and the coefficients for the LEFT variable for the prison and torture models (.10).

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Finally, we should note that the comparison of the performance of the dependent variables is only as strong as the theoretical justification and operationalization of the independent variables.[31] But even this last and most contingent empirical analysis provides some support for the direct comparisons of the dependent variables, suggesting that the content of human rights violations and the different approaches to measuring this content have important implications for social science modeling as well as for victims.

Conclusions

Human rights violations is an important but complicated concept, and we recognize that we are dealing with only a portion of it in this analysis. In international law, for example, human rights extends to economic and social rights, while also including the "integrity of the person," the focus of this research. Further, there is no universal agreement regarding the integrity of the person—as witnessed by the East-West debate alluded to earlier and the continuing philosophical and normative controversy over human rights generally. To be sure, social scientists have contributed to the explication of the concept and developed a variety of quantitative indicators designed to measure it cross-nationally. While all such indicators can only approximate reality, we have argued on normative, conceptual, and analytical grounds that further progress lies in separating the human rights concept into its important components. The normative problem is the failure to discriminate morally between alternative strategies of repression (the use of impris-

Following Carmines and Zeller, we also computed a series of bivariate correlations for the independent variables with each of the dependent measures as another way to test the differences among the various models. See Edward G. Carmines and Richard A. Zeller, *Reliability and Validity Assessment* (Newbury Park, Calif.: Sage Publications, 1979), 17–27, 66–70, esp. 68. To evaluate the differences for each of these bivariate relationships, we compared the unstandardized coefficients (assuming independence) from the three bivariate regression models for each variable. Comparable results obtained, with the exceptions that the VANHDEMO variable in 1984 was now significant at the .10 level for the composite model and the prison model comparison and for the composite model and torture model comparison, and that the LPOP variable comparison was now not significant in 1984. For 1987 CWAR is now significant for the composite model and prison model at .05 level (instead of .01), and CWAR is now significant for the prison and torture model comparison at the .10 level. LPOP for the composite model and torture model comparison is now significant at the .10 level (instead of .01) in 1987.

[31] See Carmines and Zeller (fn. 30), 26. Also, as Poe and Tate (fn. 2) point out, "The development of theories to explain . . . such crimes . . . would seem to be a vital undertaking, [yet] social science scholars have only begun to use the newly developed information toward this end" (p. 853). Unfortunately, assessing the construct validity of a concept "is, by necessity theory-laden. . . . In a very real sense, whenever one assesses the construct validity of the measure of interest, one is also evaluating simultaneously the construct validity of measures of the other theoretical concepts"; Carmines and Zeller (fn. 30), 23–25.

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onment versus the use of torture and killing). The conceptual problem is the failure to appreciate fully the value of disaggregation, an established principle of social science methodology and a design decision critical to the development of social science methodology.

The various empirical analyses presented here support the methodological and theoretical arguments for disaggregation. In practice, the unidimensional scale, while designed to represent both the major dimensions of human rights violations, does so in a way that is difficult to interpret. Both imprisonment and torture are methods of political control that are important in themselves, and research efforts ought to be geared to maximizing information gains about both of these activities. Using separate indices seems a more appropriate means for moving in that direction.

The work of social scientists in a related area also makes a compelling and persuasive case for disaggregation. Those interested in generating useful knowledge on individual crimes, rather than state crimes, do not employ a one-dimensional crime scale that combines nonviolent and violent crimes. They disaggregate shoplifting from rape and seek explanations for these substantively different types of criminal activity. To draw out the parallel, one would think that disaggregating state crimes would be a rudimentary and a relatively uncontroversial research design decision as well. Indeed, only when we have done the job of "exhausting [human rights violations] of [their] analytical components"[32] can we be confident of making the most of our analytic opportunities.

Finally, and importantly, as analysts have increasingly moved toward understanding human rights violations as a policy choice—that governments have alternatives in how much and what type of human rights to violate—then disaggregating the types of violations into their key components has become even more important. In this sense, the prospects for theoretical breakthrough seem greater through disaggregation than through reliance on a composite scale that masks important underlying components of the human rights concept.

[32] Vallier (fn. 6), 223.

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Review Articles

BRINGING IN THE NEW WORLD ORDER
Liberalism, Legitimacy, and the United Nations

By MICHAEL N. BARNETT*

Boutros Boutros-Ghali. *Agenda for Peace*, 2d ed. New York: United Nations, 1995, 159 pp.

Commission on Global Governance. *Our Global Neighborhood.* New York: Oxford University Press, 1995, 410 pp.

Gareth Evans. *Cooperating for Peace.* St. Leonards, Australia: Unwin and Hyman, 1993, 224 pp.

Report of the Independent Working Group on the Future of the United Nations. *The United Nations in Its Second Half-Century.* New York: Ford Foundation, 1995, 53 pp.

THE end of the cold war and the attendant security vacuum unleashed a flurry of intellectual activity, including numerous commissions, that reflected on the world that was being left behind and the world that should be created in its place. The reports under review in this article are among the best and most influential of the lot, and they have two defining qualities. The first is the attempt to capitalize on the post–cold war moment to escape the pessimism of realism and to envision an international order secured without the threat of force. These reports share the belief that multilateralism must supplant the security practices that defined the cold war, that the language of assurance must replace the language of deterrence, and that states should build institutions rather than militaries. Second, these reports advocate strengthen-

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ing the role of the United Nations in security politics. The UN was already flexing its long-atrophying muscles at the close of the cold war as it helped many protracted regional and domestic conflicts to wind down, served as a central player during the Gulf War, and undertook numerous peacekeeping operations of tremendous complexity, scope, and size. The international body, once relegated to the back seat in security matters, had become the darling of the hour, a development these reports want to see become permanent rather than transitory. The reports discussed here wax eloquent about the transformational possibilities for global politics and about the role of the UN as the prospective global deliverer.

The reports have been overtaken by events, however. They began their inquiries during the optimistic period of the early 1990s but began publishing their findings just as the UN was suffering a series of setbacks, most notably in Somalia, Rwanda, and Bosnia. While the commissions were painting a progressive shift in global politics and advocating a central role for the UN in security affairs, many parts of the world where the UN was present were descending into chaos if not hell—and arguably with the assistance of the UN. Furthermore, states demonstrated through their pocketbook an unwillingness to see a strengthened UN. Consequently, the news conferences announcing publication of the findings of the various commissions were greeted with little enthusiasm and much cynicism. Their reception symbolized the UN's hard times.

Arguably few international relations scholars were surprised by this turn of events. The UN has long labored under theoretical obscurity because of the general view that it is a bit player, first, on the global scene and, second, in terms of the central research questions of the discipline.[1] Realists and institutionalists largely agree on the false promise of the UN. Neorealists view institutions as permissive and subservient to power politics and therefore dismiss a role for the UN in global security because it lacks enforcement mechanisms that are independent of state interests. Waltz's *Theory of International Politics*, the bible of neorealism, speaks volumes with its near silence on the UN;[2] and the UN's post–cold

[1] For the rise and decline of the study of international organizations before the end of the cold war, see J. Martin Rochester, "The Rise and Fall of International Organization as a Field of Study," *International Organization* 40 (Autumn 1986); and Friedrich Kratochwil and John Ruggie, "International Organization: A State of the Art on the Art of the State," *International Organization* 40 (Autumn 1986).

[2] Kenneth Waltz, *Theory of International Politics* (Reading, Mass.: Addison-Wesley, 1979), 42, 164. Waltz's lone comment was to reject from consideration any possible role for the UN as a system regulator or in a collective security system because it simply reflects state interests.

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war activities have elicited strong reaction from prominent neorealists, but usually to bury them and not to praise them.[3] Policymakers have repeatedly demonstrated a willingness to weave grand dreams of a global order secured through institutions, but these dreams have invariably been shattered by the timeless realities of state interests.

Although these reports draw on many institutionalist insights, few neoliberal institutionalists have examined the UN's potential contribution to international security. Perhaps for good reason. The conditions under which they posit that institutions "matter"—when actors have convergent interests and desire to establish norms to overcome collective action and coordination problems—are not present when it comes to the UN and the area of security. During the cold war the great powers rarely turned to the UN as a forum for dispute settlement (except for some peacekeeping episodes), and when they did have convergent security interests they avoided the UN in favor of institutional arrangements that they could more readily control. That the major powers turned to the UN after the cold war reflects that, albeit temporarily, they had converging interests.[4] But the UN's recent decline suggests either that those converging interests have now diverged or that the major powers have found other institutional arrangements to further their security. While neoliberals have broadened their empirical scope to include security, they know better than to stake their credentials or their theories on the UN. Neorealism and neoliberal institutionalism then are in league in their dismissal of the UN, sharing as they do the general belief that international order is founded on force coupled with institutional restraints that are supported by a convergence of state interests.

But the reports under review offer an additional message—that international order is produced not only by force coupled with institutional aids but also by legitimacy. Read in this way, these commissions provide a blueprint for how the post–cold war order should be built. To be sure, these reports pay lip service to handing the UN a standing army and a central role in a collective security system, and they insist that the UN be invested with new policy instruments to strengthen its role in conflict resolution. Certainly, if one judges these commissions by

[3] John Mearsheimer, "The False Promise of International Institutions," *International Security* 19 (Winter 1994–95).

[4] See Isabelle Desmartis, Julie Fournier, and Charles Thumerelle, "The United Nations at Fifty: Regime Theory and Collective Security," *International Journal* 50 (Winter 1994–95); James Schear, "Global Institutions in a Cooperative Order: Does the United Nations Fit In?" in Janne Nolan, ed., *Global Engagement: Cooperation and Security in the Twenty-first Century* (Washington, D.C.: Brookings Institution, 1994); and Thomas Risse-Kappen, "Between a New World Order and Norms: Explaining the Re-Emergence of the United Nations in World Politics," in Keith Krause and Michael Williams, eds., *Critical Approaches to International Security* (Minneapolis: University of Minnesota Press, 1996).

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whether their proposals have been implemented, then they have failed. But beyond their languishing recommendations, these commissions offer a series of discursive moves and rhetorical arguments about what constitutes legitimate state action and a legitimate international order. Because these reports were looking to the international order that would succeed the cold war, they focus on the constitutive foundations of global politics, how the new international order would be legitimated, what its specific content should be, and how the recalcitrant might come to accept these principles. On such issues, these commissions are suggesting, the UN should occupy a central position.

Three issues stand out. First, the international order valorized in these reports is a liberal order. These reports are informed by a distinctly liberal worldview and recommend a strengthened UN that can facilitate such an outcome. This raises the second issue: legitimacy in global politics. In a series of intriguing observations and hypotheses concerning the legitimation process in global politics at this historical moment, they remind international relations scholars of the potential importance of the concept of legitimacy, a concept that once found a central place in the works of the classical realists but that has fallen out of favor in recent decades.[5] The concept appears in various guises in these reports in terms of (1) how all international orders must be legitimated if they are to have any staying power; (2) how the legitimation principles of a particular order can shape state practices; and (3) how the UN can be the site for the legitimation of a particular order and for holding states accountable to its norms. The UN, they suggest, can shape state practices by establishing, articulating, and transmitting norms that define acceptable and proper state behavior. Third, these commissions understand that not all actors will find this vision attractive or attainable. Hence, they envision the UN as an agent of normative integration that can increase the number of actors who identify with and uphold the values of a liberal international order. This essay is organized according to these three central themes.

Overview of Four Commissions

Some background information about the central orientations of these reports is in order. Boutros-Ghali's *Agenda for Peace* was the first to ap-

[5] See Thomas Franck, *The Power of Legitimacy among Nations* (New York: Oxford University Press, 1990). As Franck writes, "The international system's weakness . . . is its peculiar strength as a laboratory for those seeking to isolate the legitimacy factor" (p. 20). For past statements on legitimacy in international politics, see Henry Kissinger, *A World Restored* (Boston: Houghton Mifflin, 1964); and E. H. Carr, *The Twenty Years' Crisis* (New York: Harper Torchbooks, 1964). For contemporary treatments,

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pear and is the cornerstone of the other documents under review. Undertaken at the request of a Security Council that was reeling from the growing demands placed on its agenda, *Agenda for Peace* was drafted by various longtime UN hands (including James Sutterlin, now in residence at Yale University) to fashion the role of the United Nations in the post–cold war order. *Agenda for Peace* immediately became the subject of controversy and vigorous debate. Third World states worried that Boutros-Ghali's vision handed more power to a Security Council that was controlled by the great powers, which, in turn, might threaten their sovereignty. In turn, the great powers—that is, the permanent members of the Security Council—feared that a strengthened UN might reduce their autonomy and power. Notwithstanding these reservations, the absence of any other blueprint on the security agenda guaranteed that *Agenda for Peace* would shape the debate on the post–cold war order. And indeed at the UN and in capitals throughout the world, member states debated its various proposals and its call for a revitalized UN.

Many of its specific proposals were not warmly received, notably for a standing UN army; and others that had been discussed initially, notably for a greater role in peace enforcement, have now been discarded because of recent setbacks. Nevertheless, its broad conceptualization of security and the future international order continues to inform the thinking of many policymakers. Specifically, *Agenda for Peace* suggests that (1) the threat of domestic insecurity is a legitimate concern of the UN because it has the potential to undermine regional security and any semblance of a cosmopolitan sensibility; and that (2) conflict has a life cycle, from preventive measures to peacekeeping and peace enforcement to postconflict nation building. This highly provocative and far-reaching document is testimony not only to its times and the UN's now departed secretary-general but also to a particular moment in world politics. That Boutros-Ghali's vision exceeded what member states were ready to accept was generally conceded in his *Addendum to the Agenda for Peace*: gone are the more ambitious proposals such as a standing army under the direction of the secretary-general and ever present is the notion that the UN will have to delegate tasks and responsibilities to other state and nonstate actors and learn to work with them as it attempts to fulfill its increasingly modest security agenda.

see Mlada Bukavowsky, "American Identity and Neutral Rights from Independence to the War of 1812," *International Organization* 51 (Spring 1997); J. S. Barkins and B. Cronin, "The State and the Nation," *International Organization* 48 (Winter 1994); Kratochwil and Ruggie (fn.1); and Helen Milner, "The Assumption of Anarchy in International Relations," *Review of International Studies* 17 (January 1991), 74. The "English School" has also been attentive to the legitimacy of international orders. See Adam Watson, *The Evolution of International Society* (New York: Routledge, 1992).

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Gareth Evans's *Cooperating for Peace* represents another synthetic statement on the role of the UN and regional organizations in shaping the face of security and countering the new security threats. Evans, Australia's foreign minister, desired to weigh in on the post–cold war security debates and timed the publication of the book to coincide with the opening of the 1993 General Assembly. Written with considerable input from scholars at Australian National University, the blue book was well received and quickly viewed as a necessary companion to *Agenda for Peace*.[6] Evans is most concerned with the new security threats that emanate from domestic rather than from traditional interstate conflicts, and he offers a set of measured categories—peace building, peace maintenance, peace restoration, and peace enforcement—to meet the severity of the conflict. His proposed solution, cooperative security, reflects the attempt to find a middle ground between the concepts of common and collective security, which, in his view, are too focused on military solutions, and the concept of comprehensive security, which is, well, too comprehensive to be of much value to policymakers.[7] Attached to these concepts are a series of proposals—including a greater use of sanctions, the establishment of new peacekeeping training centers, and expanded roles for civilian police—that will better enable the United Nations to establish international regimes and engage in in-country reconstruction. According to Evans, international regimes and domestic reconstruction are the twin paths to a stable international order.

Our Global Neighborhood, the product of the Commission on Global Governance, a distinguished panel of experts and policymakers, represents a self-conscious attempt to consider the future global order by synthesizing and extending many of the central arguments of prior commissions on the future of the world economy, security, and environment.[8] It should be noted that the background papers for the commission were written by liberal-minded scholars, including Ernst Haas and Peter Haas, and nowhere in the bibliography or citations is there a submission that is identifiable as realist.[9] The report is striking for its

[6] Gareth Evans, "Cooperative Security and Instrastate Conflict," *Foreign Policy* 96 (Fall 1994). See also the related volume, Kevin Clements and Robin Ward, *Building International Community: Cooperating for Peace Case Studies* (St. Leonards and Canberra: Allen and Unwin and Peace Research Centre, Australian National University, 1994); and the interesting collection of responses to *Cooperating for Peace* in Stephanie Lawson, ed., *The New Agenda for Global Security: Cooperating for Peace and Beyond* (Canberra: Allen and Unwin, 1996).

[7] Stephanie Lawson, "Introduction: Activating the Agenda," in Lawson (fn. 6), 7–8.

[8] World Commission on Environment and Development, *Our Common Future* (New York: Oxford University Press, 1987); South Commission, *The Challenge to the South* (New York: Oxford University Press, 1990).

[9] *Issues in Global Governance: Papers Written for the Commission on Global Governance* (Boston: Kluwer Law International, 1995).

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willingness to entertain numerous proposals designed to alter how states conduct their relations and organize their security.

While many of the proposals are familiar and draw on the ideas found in *Agenda for Peace* and *Cooperating for Peace*, it goes beyond them in five respects. First, it focuses on the UN's role in economic, social, and environmental matters because an increasingly complex and integrated global polity requires similarly comprehensive international organizations. Second, it argues that traditional notions of security, defined by the state's defense of its territorial borders, do not exhaust the meaning of security in the current era; that is, since security has environmental, economic, and humanitarian components, the concept of security must be shifted away from its locus on the state and toward individuals. Third, *Our Global Neighborhood* is less constrained by or committed to the idea of state sovereignty than is Evans, who is unapologetically statist, or Boutros-Ghali, who as secretary-general of an interstate organization is also committed to sovereignty. Indeed, the vision of global governance in *Our Global Neighborhood* situates states alongside international and regional organizations, nongovernmental and intergovernmental organizations, and other transnational actors. Fourth, it is most explicit in its interest in issues of governance and seeing the UN as the most likely candidate to guide the ongoing global transformation. Fifth, the commission found it imperative to address the question of the values of global society and devotes an entire chapter to the subject.

Finally, the Report of the Independent Working Group on the Future of the United Nations, *The United Nations in Its Second Half-Century* (Independent Working Group), also examines the relationship between the future course of global politics and the potential functions of the UN. The project (funded by the Ford Foundation, supported by the Secretariat, and overseen by Paul Kennedy and Bruce Russett of Yale University) resembles *Our Global Neighborhood* in three important respects. First, it situated the UN within a global context that is marked by a growing and deepening interdependence. Second, it offers an integrated view of global politics and invests tremendous effort in developing proposals for the UN's security instruments and increasing its economic and social functions in ways that will enable it to manage the inensifying effects of interdependence. Third, it devotes considerable discussion to the need of the international community to "save failed states."[10] This agenda item is justified on principled, political, and

[10] See also Gerald Helman and Steven Ratner, "Saving Failed States," *Foreign Policy* 89 (Winter 1992–93); Steven Ratner, *The New UN Peacekeeping* (New York: St. Martin's Press, 1996).

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strategic grounds: by saving failed states, the international community will better that community and foster a more stable international order.

Each of the four reports offers a far-reaching vision of the current challenges to a stable international order, as well as numerous proposals for stabilizing that order. Even in better times, which these are not, most of these proposals would not likely see the light of day. Nonetheless, despite the inhospitable climate, some reforms continue. For instance, steps have been taken to establish effective stand-by arrangements for peacekeeping forces; there have been important developments for effecting the bureaucratic transition from peacekeeping and peace building; and in February 1997 the first informal consultations took place between the Security Council and several nongovernmental organizations on a matter of international peace and security (the Great Lakes region of Africa). These and other policy reforms receive considerable attention in these reports.[11] But an exclusive focus on how few of the proposals have been implemented risks prematurely dismissing a set of reports that provides a window into, and conceivably contributed to, the legitimation process in global politics.

A Liberal International Order?

The portrait painted by these reports is, not surprisingly, largely of a liberal international order; after all, many of those involved in the framing, drafting, and writing of these documents are self-described liberals—organic intellectuals (to use Gramsci's term) and epistemic communities (to use the term favored by constructivists).[12] These are intellectuals who believe in progress; the capacity of individuals to learn from the past; the construction of new political institutions to increase freedom and reduce the likelihood of physical violence; and thus the ability to improve the "moral character and material welfare of humankind."[13]

[11] It is impossible to determine whether these proposals led directly to these and other reforms; after all, the proposals built on both already existing "lessons learned" in recent peacekeeping operations and the recommendations of other documents and commissions. At the least these commissions lent greater credibility to these and other proposals.

[12] Those scholars whose work is informed by a Gramscian approach also situate the UN system within a global, though largely economic, context and focus on its role as an agent of liberal change. See Craig Murphy, *International Organizations and Industrial Change* (New York: Oxford University Press, 1995); and Robert Cox, "The Crisis of World Order and the Problem of International Organizations," *International Journal* 35, no. 2 (1980).

[13] Mark Zacher and Richard Matthews, "Liberal International Theory: Common Threads, Divergent Strands," in C. Kegley, ed., *Controversies in International Relations Theory: Realism and the Neo-Liberal Challenge* (New York: St. Martin's Press, 1995), 110.

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But there are four other elements that define these documents as quintessentially liberal.[14]

First, these reports start from the premise that "international relations are being transformed by a process of modernization."[15] The opening pages of the reports detail how thickening economic, political, environmental, cultural, and communicative networks are revolutionizing the texture of global politics. The terms of reference for the Global Governance Commission (p. 366) stress those transformational qualities of global society that exhibit the "forces of integration and division" and thus present it with tremendous "uncertainty, challenge, and opportunity." The Independent Working Group (p. 4) similarly proclaims: "In the context of global forces unleashed in the past 50 years, only a collective effort can give states the framework and the strength to shape their own destiny in the promising but turbulent times that lie ahead. Our Report derives from this conviction." The communications revolution, continues the Independent Working Group (p. 7), is collapsing space and bringing us into greater contact, for good and for ill. Interdependence and modernization present new opportunities and challenges, and these reports are driven by a fear that interdependence, if unchecked, will have disastrous consequences for both national and international politics.

Second, these reports support the notion that international organizations in general and the UN in particular are needed to deal with the dizzying effects of modernization in these transitional times to help ameliorate conflicts that arise from interdependence.[16] There is historical precedent for this function of the UN: it helped to manage the earlier global transformation from the era of empires and colonialism to the era of sovereignty. As a critical forum for handling the rapid decolonization that followed World War II,[17] the UN justified its intervention on grounds of principle and security and it established numerous

[14] I derive these tenets from Robert Keohane, "International Liberalism Reconsidered," in John Dunn, ed., *The Economic Limits to Modern Politics* (New York: Cambridge University Press, 1990); Andrew Moravcsik, "Liberalism and International Relations Theory," Center for International Affairs, Working Paper Series, no. 92-6 (Cambridge: Harvard University, 1993); Daniel Deudney and G. John Ikenberry, "Structural Liberalism: The Nature and Sources of Western Political Order" (Manuscript, 1995); Zacher and Matthews (fn. 13); and Michael Doyle, "Liberalism and World Politics," in Kegley (fn. 13).

[15] Zacher and Matthews (fn. 13), 110.

[16] See also James Rosenau, *The United Nations in a Turbulent World* (Boulder, Colo.: Lynne Rienner, 1992).

[17] See Robert Jackson, "The Weight of Ideas in Decolonization: Normative Change in International Relations," in Judith Goldstein and Robert O. Keohane, eds., *Ideas and Foreign Policy* (Ithaca, N.Y.: Cornell University Press, 1993); Rupert Emerson, "Colonialism, Political Development, and the UN," *International Organization* 19 (Summer 1965); and Harold Jacobsen, "The United Nations and Colonialism: A Tentative Appraisal," *International Organization* 1 (Winter 1962).

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institutional mechanisms to encourage a relatively peaceful and speedy transition.[18] Boutros-Ghali observes that the present era, too, defined as it is by globalization and disintegration, demands international organizations like the United Nations.[19] In general, these commissions hold to the liberal tradition that looks to international organizations to help states cope with interdependence.

Specifically, it is the United Nations in their view that is in a position to help the global polity through the difficult times ahead. With respect to security affairs, they endorse multilateralism and advance numerous institutional designs based on the lessons of institutionalism to foster a more stable and secure international order.[20] To this end, the UN can be a neutral forum in which states and nonstate actors can voice their grievances, communicate their preferences, and coordinate their policies. Further, it can establish confidence-building agreements and foster transparency so as to encourage states to adopt a more defensive and less militarized security posture.[21] And finally, it can create oversight and monitoring mechanisms to assure states that others will not defect from their agreements, most famously expressed by the UN's peacekeeping activities.[22] Most of these documents speak directly to the issue of enhancing the UN's ability to oversee and monitor (though not necessarily enforce) international and domestic agreements.

[18] This raises a potentially interesting, though generally unexplored, question: what role did the UN play in helping to manage the end of the cold war? As international relations theorists isolate various explanations, they tend to focus on the Soviet Union's "new thinking" and the emerging belief that the U.S. would not take advantage of its international retreat and domestic reforms. Was the easy fall of the Soviet Union facilitated by the existence of the UN? The U.S. and the Soviet Union worked jointly and multilaterally to end various regional conflicts, and they did so under the auspices of the UN. It is conceivable that by working through the UN, the Soviets (1) could rest assured that there was a forum that guaranteed them superpower status and decision-making power despite their declining stature (and perhaps caused the U.S. to give it more due than otherwise might have been the case, for example, in the negotiations preceding the Persian Gulf War in January 1991); and (2) learned through doing that the U.S. would not try to settle these and other conflicts in a manner immediately disadvantageous to the Soviets. As Roberts and Kingsbury note, Soviet premier Gorbachev increasingly and simultaneously stressed the necessity of a framework of international cooperation and the importance of the UN. See Roberts and Kingsbury, "The UN's Roles in International Society," in A. Roberts and B. Kingsbury, eds., *United Nations, Divided World* (New York: Oxford University Press, 1993), 46–47.

[19] Boutros Boutros-Ghali, "Global Leadership after the Cold War," *Foreign Affairs* 75 (March–April 1996).

[20] See John Ruggie, ed., *Multilateralism Matters* (New York: Columbia University Press, 1993); and Thomas Pickering, "Power and Purpose: Making Multilateralism Work," *Foreign Service Journal* (July 1992).

[21] Cameron Hume, *Ending Mozambique's War* (Washington, D.C.: USIP Press, 1994); *The United Nations and Nuclear Non-Proliferation*, United Nations Book Series, vol. 3 (New York: Department of Public Information, 1995).

[22] The peacekeeping literature has exploded over the past few years. For overviews and analysis, see Alan James, *Peacekeeping in International Politics* (New York: St. Martin's Press, 1990); A. B. Featherston, *Towards a Theory of United Nations Peacekeeping* (New York: St. Martin's Press, 1994); Paul Diehl, *International Peacekeeping* (Baltimore: Johns Hopkins University Press, 1993); Paul Durch, ed., *The Evolution of UN Peacekeeping* (New York: St. Martin's Press, 1993); Michael Doyle et al., eds., *Keeping the Peace: Multidimensional UN Operations in Cambodia and El Salvador* (New York: Cambridge Uni-

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Third, these reports are quite unabashed in promoting the spread of democracy; the days are past when the UN dared not tread in the domestic realm because it feared violating state sovereignty. The world should be populated by democratic states, these reports uniformly claim, on principle and because of peace and security issues. Boutros-Ghali asserts that modern states possess certain constitutive foundations that revolve around democratic principles.[23] *Our Global Neighborhood* (p. 66) links democracy and legitimacy and asserts that the "democratic principle must be ascendant. The need for greater democracy arises out of the close linkage between legitimacy and effectiveness."[24]

The demand for democracy is also justified on peace and security grounds. Whereas the prevailing belief during the cold war had been that international order was premised on balances of power and some regulative norms that produced something akin to an "anarchical society,"[25] the reports under consideration here argue that domestic politics matters and that empirical sovereignty—the notion that states have some degree of legitimacy and control over their society and within their borders—enables states to uphold the norms of international society.[26] Simply stated, the rule of law at home is the foundation of the rule of law abroad.[27] Democracy, according to Boutros-Ghali, is the ultimate guarantor of peace. In the *Agenda for Peace* he writes:

> The authority of the United Nations system to act in this field [human rights] would rest on the consensus that social peace is as important as strategic or political peace. There is an obvious connection between democratic practices—such as the rule of law and transparency in decision making—and the achievement of true peace and security in any new and stable political order.

Gareth Evans (p. 53) enthusiastically seconds the sentiment. Indeed, all four reports take this assumed connection between domestic and international order to justify greater intervention in domestic affairs.

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versity Press, 1997); John MacKinley and Jarat Chopra, "Second Generation Multinational Operations," *Washington Quarterly* (Summer 1992); and Thomas Weiss, ed., *The United Nations and Civil Wars* (Boulder, Colo.: Lynne Rienner, 1995). For the factual side, see *United Nations Peacekeeping Information Notes* (New York: United Nations Press, 1995); and *Blue Helmets*, 3d ed. (New York: United Nations Press, 1996).

[23] See also Boutros Boutros-Ghali, "An Agenda for Peace: One Year Later," *Orbis* 37 (Summer 1993), 329; idem, "Democracy: A Newly Recognized Imperative," *Global Governance* 1 (Winter 1995), 3–12; and the recently published *Agenda for Democratization* (New York: UN Publications, 1996).

[24] See also Boutros-Ghali (fn. 23, 1995).

[25] Hedley Bull, *Anarchical Society: A Study of Order in World Politics* (New York: MacMillan, 1983).

[26] Robert Jackson, *Quasi-States* (New York: Cambridge University Press, 1990).

[27] These reports draw on the growing literature on the "democratic peace." See Michael Doyle, "Liberalism and World Politics," *American Political Science Review* 80 (1986); and Bruce Russett, *Grasping the Democratic Peace* (Princeton: Princeton University Press, 1993).

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Not only will an international system populated by democratic states decrease the likelihood of interstate war, but democratic states also will reduce the likelihood that domestic tensions will become militarized and internationalized. While the reports acknowledge traditional interstate sources of violence and conflict, they nearly assume that the root causes of most conflicts reside in the domestic sphere. Thus, *Our Global Neighborhood* predicts that even though interstate war is not extinct, "in the years ahead the world is likely to be troubled primarily by eruptions of violence within countries" (p. 81), and the Independent Working Group focuses on intrastate conflict. These reports hold that the patterns of war are shifting and that the best way to minimize domestic violence (and thus the prospect of international violence) is to widen the community of democratic states.

All four reports, particularly *Our Global Neighborhood* and *The United Nations in Its Second Half-Century*, emphasize the importance of human rights as an issue of domestic and international governance. Since the mid-1980s the UN has become quite active in the area of human rights, a change from the cold war period and the era of decolonization, when the United Nations was prohibited by member states from investigating and considering issues of human rights.[28] Today, most peacekeeping operations have a human rights component, and the UN held a World Congress in Vienna in 1993 and established the position of high commissioner for human rights the following year.[29]

Human rights has emerged on the international agenda for several reasons, but one catalyst is the belief that "civilized" states should respect human rights and have some degree of domestic accountability based on democratic principles of rule, because they represent both a means to an end, for example, international order, and an end in itself. The international community increasingly treats respect for human and ethnic rights as a matter of principle and an issue of peace and security.[30] Because of the presumed relationship between domestic and international order, then, these reports look to the UN to articulate the constitutive features of the modern state.

[28] Jacobsen (fn. 17), 47; and Louis Henkin, "The United Nations and Human Rights," *International Organization* 19 (Summer 1965), 512.

[29] See, for instance, Philip Alston, ed., *The United Nations and Human Rights* (New York: Cambridge University Press, 1995); David Forsythe, "The United Nations and Human Rights at Fifty: An Incremental but Incomplete Revolution," *Global Governance* 1 (September–December 1995); and W. Ofuatey-Kodjoe, "The United Nations and the Protection of Individual and Group Rights," *International Social Science Journal* 144, no. 3 (1995).

[30] This is not the first time that an international organization has argued that domestic politics matters for international order and is a legitimate concern of the international community. The League of Nations, too, through its mandate policies and various commissions on minority rights and plebiscites

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The fourth, liberal, dimension of these reports is the shift away from the sovereign state as the principal actor in global politics and toward, first, identity-based groups such as nations, indigenous peoples, women, and ethnicities, and, second, the individual as a central actor. There has always been tension between the UN's role as representative of sovereign states and its role as representative of peoples and individuals who have universal rights and deserve the protection of the international community. For most of its history the UN has resolved that tension in favor of state sovereignty, but these reports advocate a change in the direction of greater balance. The Global Governance Commission has a chapter on the values of the global community, which states are exhorted to respect; while these values are forwarded as principled rather than liberal, few liberals would object to them. The Independent Working Group advocates the protection of the "social fabric" of societies in which the "rights of every individual are guaranteed by the rule of law, people can participate in their own governance, and disagreements over policy issues are settled peaceably" (p. 34). These reports, moreover, propose a set of institutions—including the rule of law, democracy, and markets—to promote political and economic opportunity and freedom. These reports, then, are attempting to protect individual rights by instilling liberal values within already constituted sovereign states.

Furthermore, as the documents narrate, modernization processes and interdependence are creating new networks of association that include domestic challenges to the state, a proliferation of transnational movements and organizations, and a nascent global civil society. The Global Governance Commission reviews at length the changing ways that individuals identify and locate themselves vis-à-vis other communities. Increased interdependence has created a "common neighborhood," whose members have mutual interests and also share an increasingly common culture. Thus, even if the state remains the primary actor in global politics, the results of interdependence, both positive and negative, are to create new networks and associations, many of which are attempting to guide the state's activities in the domestic and international sphere.

Although NGOs and transnational organizations are playing an increasingly important role in various international issues, they tend to be included in international organizations such as the UN only on an ad

in Europe, made the case that there was an important relationship between domestic and international order. See Dorothy Jones, *Code of Peace* (Chicago: University of Chicago Press, 1991). As reflected by the League of Nations mandate system, at issue was whether or not the recognized state could maintain some semblance of order—that domestic order and the capacity to govern should be used as criteria for independence and recognition.

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hoc basis because such international organizations usually restrict participation to states. Consequently, the Independent Working Group and the Global Governance Commission propose to establish various mechanisms at the UN and its sister organizations to include these nonstate actors more fully in all aspects of the decision-making process. They envision new councils that directly link peoples and the organs of the international community in ways that challenge the state's monopoly on decision-making authority at the global level. The hope is to give domestic groups normative leverage over states that violate the norms of the international community on issues of domestic governance.

To summarize: we can consider these documents to be liberal to the extent that their narratives are informed by a belief in progress: that modernization and interdependence are transforming the character of global politics; that institutions can be established to help manage these changes; that democracy is a principled issue and can enhance peace and security; and that the UN has an obligation to protect individuals, promote universal values, and create institutions that can encourage political and economic freedom. These assertions are more than simply a set of proposals for peace and security, they are also a blueprint for a durable, stable, and legitimate international order. Thus, a recurring theme of these reports is what constitutes legitimate state action and how the UN can gather both the resources and the authority to fulfill this new mandate. Such matters speak directly to the larger issue of legitimacy in global politics.

LEGITIMACY

In offering positions on what should be the rules of the game and what is considered acceptable behavior, these reports address the concept of legitimacy, both substantive and procedural. First, ends that are considered desirable and the means selected to pursue these ends should be viewed as proper by the relevant political community; and second, the decision-making process should correspond to practice that is deemed proper by the members of the community.[31] Substantive legitimacy dominates the discussion in the reports, although they also consider the importance of institutional reforms for furthering procedural legiti-

[31] For substantive legitimacy, see Peter Berger, Brigitte Berger, and Hansfried Kellner, *The Homeless Mind* (New York: Vintage Books, 1973); W. Richard Scott, "Unpacking Institutional Arguments," in Walter Powell and Paul Dimaggio, *The New Institutionalism in Organizational Analysis* (Chicago: University of Chicago Press, 1991), 169–71; and Max Weber, *The Theory of Social and Economic Organization* (Glencoe, Ill.: Free Press, 1964), 124. For procedural legitimacy as applied to the UN, see Franck (fn. 5), 24, 25; idem, *Fairness in International Law and Institutions* (New York: Oxford University Press, 1996); and Bruce Russett, ed., *The Once and Future Security Council* (New York: St. Martin's Press, 1997).

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macy, for instance, the need to reform the Security Council and democratize other organs of the United Nations system.

Because political orders are social constructs and a product of material and normative forces, the reports focus on how these orders are produced and the struggles that are waged to establish their legitimation principles. "Politics is not merely a struggle for power," observed Inis Claude, "but also a contest over legitimacy, a competition in which the conferment or denial, the confirmation or revocation, of legitimacy is an important stake."[32] Kissinger began his classic *A World Restored* by stating that the central issue for the post-Napoleonic order was the construction of a set of socially recognized and collectively legitimated principles that determines what is permissible and what is prohibited.[33] In many respects, these reports apply Kissinger's historical concerns to the post–cold war era.

How then are international political orders legitimated? As Claude noted in his classic article, a notable phenomenon of the twentieth century is that the agents of legitimization tend to be international political organizations, and since World War II that function has been nearly monopolized by the UN.[34] These reports reinforce Claude's observation, as the debate over the goals of the international community and the acceptable means to achieve those goals arguably centered in and around the UN, because only there would any emerging arrangements obtain some moral standing and legitimacy. After all, any international political order—or any political order for that matter—needs to be legitimated if it is to have any staying power or be based on anything other than coercion. And the UN provides a forum for collective legitimation, a place where the international order is coronated.

It is impressive how many proposals and discussions about the future international order occurred through the vehicle of the United Nations. Why would major and minor powers alike turn to the United Nations? Various explanations point to material considerations, of course, but it is worth considering the UN's symbolic role in the international community. One of the first acts of an independent state, for example, is to apply for admission to the United Nations, for, as former Secretary-General Perez de Cueller observed, joining the UN is the "final confirmation of independence, nationhood, and sovereignty."[35] These reports

[32] Claude, "Collective Legitimization as a Political Function of the United Nations," *International Organization* 20 (Summer 1966), 368.

[33] Kissinger (fn. 5).

[34] Claude (fn. 32).

[35] Javier Perez de Cuellar, "The United Nations and the United States" (Address at the fiftieth anniversary celebration, Dartmouth College, May 10, 1988). Cited from Franck (fn. 5), 9.

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articulate both implicitly and sometimes explicitly the necessity of locating a "center" not only to provide the international community with a concrete steering mechanism but also to give it a symbolic footing and some meaning. As Gareth Evans observes, "The world needs a center, and some confidence that the center is holding: the United Nations is the only credible candidate."[36] And as *Our Global Neighborhood* affirms, it is the only international forum that has the legitimacy and stature to operate in these matters. During this period of rapid change and fluidity it can best provide the stabilizing influence needed by the international system.[37]

Following Emile Durkheim, one can ask whether the UN represents the collective beliefs of states in a way that is almost quasi religious in character. "There can be no society," Durkheim wrote, "which does not feel the need of upholding and reaffirming at regular intervals, the collective sentiments and collective ideas which make its unity and its personality."[38] The turn to the UN after the cold war becomes more plausible in light of its symbolic role vis-à-vis the international community. Indeed, the turn to the UN may even be necessitated by "dynamic density," that is, intensifying patterns of interaction that are generating new forms of social organizations and collective representations.[39] In general, even if the principles of the international community embodied in the UN Charter and in its thousands of documents and resolutions do not have the standing of social facts, the UN is still the cathedral of the international community, the organizational repository of the community's collective beliefs.[40]

What is the source of the UN's legitimacy? The UN is the only organization that approximates universality and is invested by states as having some degree of moral authority. Most simply, it has this legitimacy and authority by virtue of the fact that member states invest legitimacy in it.[41] To be sure, the UN's legitimacy has varied over time and across constituencies, but no other regional or international organization ever

[36] Canadian House of Commons, External Affairs Committee; quoted from Lawson (fn. 7), 3.

[37] Oran Young, "The United Nations and the International System," *International Organization* 22 (Autumn 1968), 906.

[38] Cited from W. Richard Scott, *Institutions and Organizations* (Thousand Oaks, Calif.: Sage Press, 1995), 10.

[39] Emile Durkheim, *The Division of Labor in Society* (New York: Free Press, 1964); John Ruggie, "Continuity and Transformation in the World Polity," in Robert Keohane, ed., *Neorealism and Its Critics* (New York: Columbia University Press, 1986).

[40] The importance and potential behavioral impact of the UN's symbolic role is also raised by Roberts and Kingsbury (fn. 18), 19–22.

[41] Claude (fn. 32); Thomas Franck, *Nation against Nation* (New York: Oxford University Press, 1985).

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emerged to rival it, even when it was at its lowest ebb.[42] Indeed, whereas neoliberal institutionalism might view the UN's universality as a potential liability for overcoming collective action problems, these reports hold that it is its very universality that generates its legitimacy and thus its ability to encourage states to comply with international norms.

The reports expect the UN to legitimate the broad principles of state action, not a new role for it. The UN embodies many of the most important constitutive norms of the international community, norms that, in effect, prescribe how modern, sovereign states are expected to behave. Dorothy Jones observes that there are "nine fundamental principles that constitute a summary of state reflection upon proper action in the international sphere. . . . All nine can be found in the United Nations Charter but the authors of the document did not create them."[43] These principles can be thought of as constitutive norms, for they tell states how to enact their identity as members of the international community; and these norms emerge from both a climate of fear, that is, a concern for what might happen if these basic norms were not heeded, and a hope for how the international community ought to operate.[44] And while the architects of the UN did not invent these norms, the UN gave them an institutional home and legitimacy. The reports reiterate these principles and stress the importance of renouncing war (except in self-defense) and unilateral intervention and of embracing a multilateral sensibility.

States of course do violate these norms of state action, but such violations do not tell us whether the norms shape state behavior on other occasions; that is, do states ever alter their actions in order to be viewed as legitimate by other states? These reports are betting on it. While recognizing that at times there may be no substitute for the heavy hand of state power—and to this end they discuss sanctions and multilateral

[42] Ernst Haas argues that a rough measure of the legitimacy of the United Nations is the degree to which "member states invoke its purposes and principles . . . to justify national policy." See Haas, *Beyond the Nation-State* (Stanford, Calif.: Stanford University Press, 1964), 133. For a good discussion of how to verify empirically whether a political order has some measure of legitimacy, see Arthur Stinchcombe, *Constructing Social Theories* (Chicago: University of Chicago Press, 1968), 162–64.

[43] These principles of state action are "sovereign equality of states; territorial integrity and political independence of states; equal rights and self-determination of peoples; nonintervention in internal affairs of states; peaceful settlement of disputes between states; no threat or use of force; fulfillment in good faith of international obligations; cooperation with other states; and respect for human rights and fundamental freedoms." See Jones "The Declaratory Tradition in Modern International Law," in T. Nardin and D. Marpel, eds., *Traditions of International Ethics* (New York: Cambridge University Press, 1992), 44–45.

[44] Jones (fn. 43), 48–49. On constitutive norms and state action, see Ron Jepperson, Alexander Wendt, and Peter Katzenstein, "Identity, Norms, and Security," in Peter Katzenstein, ed., *The Culture of National Security: Norms and Identity in World Politics* (New York: Columbia University Press, 1996).

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military operations—these documents posit that states also care about their legitimacy because they are part of an international community from which they derive their rights, obligations, and authority to act in legitimately sanctioned ways.[45] Power, these documents are suggesting, is conferred on those who adhere to the community's values and norms, and leadership is not only about having military power but also about projecting moral purpose.[46] Inis Claude contends that collective legitimization function of the UN shapes states' behavior because, simply put, state officials have made it important by their actions and statements. The very demand for this function is its source of power and thus its causal force.[47]

These reports offer various proposals designed to use the UN status and moral authority to guide state action. Several of the proposals in *Our Global Neighborhood* can operate only if states care about their reputation. One proposal to stop "grave threats to the security of people" is to develop a Council of Petitions to include a panel of distinguished, independent individuals whose task would be dedicated to safeguarding the security of peoples by making recommendations to the secretary-general and the Security Council. "It would be a Council without any power of enforcement. But the eminence of its members and the quality of its proceedings can foster a measure of respect that will give its conclusions considerable moral authority" (p. 262). The commission also asserts that the easiest and most efficient method for ensuring compliance is through direct contact, publicity, deterrence, and the "mobilization of shame" (p. 328).[48] This highlights one of the UN's most important functions (and one on which it holds a monopoly): to distribute seals of approval and disapproval. "The UN's functions in proclaiming principles and conferring legitimacy," write Roberts and Kingsbury, "remain central to the effective maintenance of international society."[49]

But does the search for legitimacy shape the behavior of the most powerful?

[45] "Nations, or those who govern them," writes Thomas Franck, "recognize that the obligation to comply is owed by them to the community of states as the reciprocal of that community's validation of their nation's statehood." See Franck (fn. 5), 196.

[46] See also Paul Schroeder, "New World Order: A Historical Perspective," *Washington Quarterly* 17, no. 2 (1994), 33; John Ruggie, "International Regimes, Transactions, and Change: Embedded Liberalism in the Postwar Economic Order," in Stephen Krasner, ed., *International Regimes* (Ithaca, N.Y.: Cornell University Press, 1983).

[47] Claude (fn. 32), 374–75.

[48] See also Abraham Chayes and Antonia Handler Chayes, "On Compliance," *International Organization* (Spring 1993).

[49] Roberts and Kingsbury (fn. 18), 57.

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> If legitimate power is . . . power that is valid according to rules, and where the rules themselves are justifiable by and in conformity with the underlying beliefs, then the main way in which the powerful will maintain their legitimacy is by respecting the intrinsic limits set to their power by the rules and the underlying principles on which they are grounded. Legitimate power, that is to say, is limited power.[50]

Power and legitimacy, in short, are not conflicting concepts but rather are complementary ones.[51] The powerful, too, want their actions to be viewed as legitimate, if only to maintain their power and further their interests. Even the powerful, in this view, cannot act in an expedient and narrowly self-interested manner and must observe international society's underlying rules and norms.

Thus it is a striking feature of the post–cold war period that even the most powerful states seek the UN's stamp of approval. While there are materially based reasons for this development, these reports highlight cosmopolitanism.[52] The Global Governance Commission, for instance, suggests that increasing interdependence and a growing global civic identity is one factor in how state officials think about themselves, conceptualize their interests, organize their activities, and desire to have their actions collectively legitimated. The UN's stamp of approval, however, does not come without cost: the operation must be viewed as consistent with the goals of the member states, its very design is subject to amendment during the authorization process. The result is that the member state seeking authorization forfeits considerable autonomy. The reports uniformly celebrate this development.

Such a development may be particularly important in the area of humanitarian intervention. While these documents express tremendous support for the concept of humanitarian intervention, there is the chronic danger that states will claim that their interventions are, by definition, humanitarian, when, in fact, they are designed to further their own interests. For this reason, the reports insist that the authority to legitimate a humanitarian operation must reside with the UN; it need not be the executing agent, but at the very least it should be the authorizing forum that legitimates such actions and ensures that they really are consistent with the goals of the international community and implemented using the means accepted by that community.[53]

[50] David Beetham, *The Legitimation of Power* (Atlantic Highlands, N.J.: Humanities Press, 1991), 35.
[51] Claude (fn. 32), 368.
[52] For a discussion of these points, see Michael Barnett, "Spheres of Influence?" in Joseph Lepgold and Thomas Weiss, eds., *Collective Conflict Management and Changing World Politics* (Albany: State University of New York Press, 1997).
[53] Gene Lyons and Michael Mastanduno tie legitimacy to the multilateral character of humanitarian operations. See Lyons and Mastanduno, "Introduction," in Lyons and Mastanduno, *Beyond*

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In general, these documents are an important contribution to the debate over the post–cold war international order. For them, the UN fulfills a legitimation function in global politics: not only does it potentially legitimate the principles upon which the future international order rests, but the legitimation of those principles carries with it the expectation that states will honor its norms. States will violate these norms to be sure, but the reports are suggesting that states do have available to them various mechanisms for stabilizing their social relations, including their ability to confer or deny approval and legitimacy.

The UN as an Agent of Normative Integration?

As advocates of a liberal international order, these reports will be read differently by their various audiences, depending on how receptive they are to the prospect of such an order and on how they view the role they are supposed to play in bringing it about. The West is the first audience. Sometimes it is subtly chastised for being hypocritical and not abiding by the rules that it established; this is one reading of the emphasis on strengthening the role of international law and the International Court of Justice in adjudicating disputes. More often, however, the most powerful Western states are criticized for not providing the (liberal) leadership role for which they are well suited materially and ideologically. The U.S. is the primary, though unnamed, culprit. While it celebrates liberalism and speaks of enlarging the community of democratic states, it has been wont to support politically and financially the very institution that might operate effectively to this end. The international community needs leadership to accomplish collective action, and the likely leaders are liberal, Western states. These reports, then, are in part attempts to convince Western states of where their interests reside.

The Third World sits in a different place. Arguably, much of the Third World is viewed by these commissions not as a source of support for a liberal international order but rather as a potential site of resistance. Nearly all the reports are concerned with securing the compliance of those most resistant to and most distant from the liberal international order; these are actors located almost exclusively in non-Western societies. This highlights an important feature of the UN:

Westphalia? State Sovereignty and International Intervention (Baltimore: John Hopkins University Press, 1996), 12; and Martha Finnemore, "Constructing Norms of Humanitarian Intervention," in Peter Katzenstein, ed., *The Culture of National Security: Norms and Identity in World Politics* (New York: Columbia University Press, 1996).

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though ostensibly a global organization, it is in fact dedicated to addressing Third World and North-South issues. As Anthony Parsons observes, the UN, far from maintaining a global jurisdiction, is generally "preoccupied with the problems of the newly independent majority, namely the dangerous disputes in the so-called Third World."[54] This focus is as true today as it was during the UN's first forty years. Boutros-Ghali's proclamation that the UN's mandate in this era of globalization-cum-disintegration is to develop markets and impart the rule of law and democracy leaves little uncertainty about the problem and its proposed solution.[55]

This raises a central issue: how do the weak come to give their consent to a political order, especially since the legitimation principles that undergird an international order usually represent the interests of the powerful and operate to their relative advantage.[56] Whether the weak accept an order from which they might not fully benefit depends on whether and how its norms and values come to be universalized and internalized, such that the values of the individual are projected to be the values of humanity.[57] The extent to which this occurs affects the degree to which coercion and selective incentives will be necessary to reproduce a particular order and enhance the prospects for social integration.[58]

These reports identify a number of theories that purport to explain how and why the weak consent to a particular order. The weak are more likely to accept the principles forwarded by the strong, in the first instance, if such principles are convincingly framed as universal rather than particularistic. The very legitimation of these principles by the UN is an important step in this direction. By contrast, resistance is likely if these values are seen as Western in orientation or as fostering the West's continued power in global politics.

Second, the UN conceivably represents a source of state identity and interests by providing the organizational space for interstate interaction. *Our Global Neighborhood* also observes that the UN's deliberative

[54] Parsons, "The UN and National Interests of States," in Roberts and Kingsbury (fn. 18), 111–12.

[55] Boutros-Ghali (fn. 19).

[56] Robert Cox, John Ruggie, and Tom Biersteker have examined various features of how a liberal political order was established and to whose advantage it operates. See Cox, *Production, Power and World Order: Social Forces in the Making of History* (New York: Columbia University Press, 1987); Ruggie (fn. 46); and Biersteker, "The Triumph of Neoclassical Economics in the Developing World," in J. Rosenau and Ernst-Otto Cziempel, eds., *Governance without Government: Order and Change in World Politics* (New York: Cambridge University Press, 1992). See also Beetham (fn. 50), chap. 4.

[57] Terry Eagleton, *Ideology* (New York: Verso Press, 1991), 56.

[58] Jürgen Habermas, "Legitimation Problems in the Modern State," in *Communication and the Evolution of Society* (Boston: Beacon Press, 1979).

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functions—generally disparaged for being all talk all the time—represent a source of new interests, practices, and conceivably identities. Chadwick Alger once observed that interaction among member states at the UN led to a socialization process, fostering new identities and interests.[59] Other scholars too have noted that international organizations represent a site of new identities, interests, and categories of action.[60]

These reports also propose the establishment of various mechanisms and institutions that might help convey norms from the North to the South.[61] If it is successful at this, the United Nations can help to create new categories of actors, new interests for actors to pursue, and new strategies that reflect new identities and interests. The Independent Working Group proposes to establish a social council that is "empowered to supervise and integrate the work of all UN activities relating to issues of social development" and grants nonstate actors access to its deliberations. The other reports, though not proposing new councils, are equally insistent on the need to establish mechanisms by which the UN can regulate those societies that are in "distress."

Indeed, the UN's post–cold war activities can be seen as an attempt to expand the number of actors who are committed to and can be counted as part of a liberal political order. Consider the UN's second-generation peacekeeping operations:[62] they have largely concerned facilitating the transition from civil war to civil society, from "failed state" to a state able to govern itself, by investing it with popular legitimacy and democratic forms of rule that nominally include new constitutions, human rights provisions, elections, and so on.[63] Several of these peacekeeping operations established and trained new civilian police forces modeled along Western lines and designed to foster democratic identi-

[59] Alger, "United Nations Participation as a Learning Process," *Public Opinion Quarterly* 27, no. 3 (1963), 425. See also Claude (fn. 32), 373; Connie McNeely, *Constructing the Nation-State: International Organization and Prescriptive Action* (Westport, Conn.: Greenwood Press, 1995); and Martha Finnemore, *National Interests in International Society* (Ithaca, N.Y.: Cornell University Press, 1996).

[60] John Boli and George M. Thomas, "World Culture in the World Polity: A Century of International Non-Governmental Organization," *American Sociological Review* 62 (April 1997); and McNeely (fn. 59).

[61] For broader theoretical statements on the relationship between organizations and the transmission of norms and acceptable practices, see Dimaggio and Powell (fn. 31); W. Richard Scott and Soren Christensen, eds., *The Institutional Construction of Organizations: International and Longitudinal Studies* (Thousand Oaks, Calif.: Sage Publications, 1995); John Ruggie, "Territoriality and Beyond," *International Organization* 47 (Winter 1993); and Martha Finnemore, "International Organizations as Teachers of Norms," *International Organization* 47 (Autumn 1993).

[62] For an expanded discussion of this argument, see Michael Barnett, "The New U.N. Politics of Peace: From Juridical Sovereignty to Empirical Sovereignty," *Global Governance* 1 (Winter 1995).

[63] Amnesty International, *Peacekeeping and Human Rights* (Mimeo, January 1994); Sally Morphet, "UN Peacekeeping and Election-Monitoring," in Roberts and Kingsbury (fn. 18); Helman and Ratner (fn. 10); and David Padilla and Elizabeth Houppert, "International Election Observing: Enhancing the Principle of Free and Fair Elections," *Emory International Law Review* 7 (1993).

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ties and practices. Most of these reports also advocate channeling more resources into postconflict peace-building measures aimed at resolving conflicts before they escalate.

To summarize, these reports suggest that all international political orders need some measure of legitimacy if they are to be sustained without the threat or deployment of force. At the heart of the matter is the degree to which the weak and those who might not ever or evenly benefit from that order accede to its principles. The more states disagree on fundamental rules, particularly states that view themselves as victims of this system, the more precarious the international order.[64] These reports identify the UN as a central agent for advancing this process of narrowing the number of states that object to a liberal international order and thus for achieving normative integration. In this respect, these reports were written by "sociological liberals," individuals who do not believe that liberalism is an analytic category that stands prior to society but rather believe that liberal individuals and societies emerge from social and historical processes.[65] Conceivably, the UN can contribute to international order by shaping state action through its legitimation function and the articulation and transmission of the norms of state action in domestic and international spheres. At least so these commissions predict.

Conclusion

The reports under consideration represent a debate over the post–cold war international order, the struggle to legitimate a liberal international order, and an attempt to extend the circle of believers. Despite the UN's current financial straits and the political paralysis that weakens its ability to act as an agent of legitimation and norm transmission, the UN nevertheless has symbolic standing and a legitimation function. This function may prove to be particularly important when the rules of the game are in flux, that is, when there is a transition from one order to another or when there are significant challenges to the established order. No other international organization or body has the capacity to legitimate the underlying principles and norms of the international order, so it is to the UN that states turn for legitimation and sanction. These commissions remind international relations scholars that international

[64] R. J. Vincent, "Order in International Politics," in J. D. B. Miller and R. J. Vincent, eds., *Order and Violence: Hedley Bull and International Relations* (New York: Oxford University Press, 1991), 54.

[65] Keohane (fn. 14).

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order is founded not only on a stable balance of power but also on a set of legitimation principles. Certainly, few political orders are ever sustained by shared norms alone, but fewer still have existed for any length of time without them. What classical realist scholars understood has been forgotten by contemporary students of global politics.

If these reports can be taken as indicative of the debate over the substance of the international order, the champions of liberalism seem to be having their day and those who feel otherwise are on the defensive. Liberal principles are accepted in the West; at issue is whether they will be accepted and internalized by non-Western states. These commissions are acting as the missionaries for the post–cold war order, preaching to the converted that the UN can be an important agent of a liberal order and hoping to widen the community of believers. Couched in this way, the discussion directs our attention toward sites of confrontation and contestation and toward the potential mechanisms that encourage the diffusion of this liberal sensibility at the global level. The UN, according to these reports, can play a critical role in both regards. Indeed, the general liberal tenor of the post–cold war order is made even more apparent if the focus is widened from the UN Secretariat to include the other organs of the United Nations system. The World Bank, the UN High Commissioner on Human Rights, the United Nations Development Program, and other organizations generally subscribe to liberal tenets. Taken as a whole, the United Nations system might be read as inextricably involved with the impressive institutional isomorphism of international politics over the last half century.[66]

Yet these reports are silent on the potential contradictions inherent in any international order in general and in liberalism in particular. Thus, they fail to acknowledge that the pursuit of some of the goals of these reports might undermine others. The reports gloss over, for instance, the disputed relationship between economic growth and democracy. They similarly fail to consider how market mechanisms, which are accepted as the proper way to organize an economy, can exacerbate tensions between identity-based groups and perhaps contribute to the disintegration of local communities in already fragile polities. Such tensions are particularly manifest in many postconflict peace-building situations where World Bank officials call for fiscal responsibility and structural adjustment-type policies while other parts of the UN system clamor for ethnic peace based on minimizing the costs of

[66] On institutional isomorphism, see George Thomas et al., *Institutional Structure: Constituting the State, Society, and the Individual* (Beverly Hills, Calif.: Sage Press, 1987).

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postconflict reconstruction. Nor do these reports consider the possible connection between liberalism and inequality.[67] Finally, they tout the construction of international organizations as the panacea for the world's problems without duly noting that while these organizations may be above power politics, they are still fraught with politics. International organizations themselves can become new sites of authority that are unaccountable to either member states or the populations they are mandated to assist, and thus might pursue policies that are at odds with the interests of either of these constituencies.[68]

But this relationship between the UN and these different strands of liberalism directs our attention to the general neglect of the UN by scholars of international relations. Whether international relations theorists consider a role for the UN in the production of international order depends on how they conceptualize international order and security. Neorealism envisions no such role for the UN because the organization does not possess coercive mechanisms or a robust collective security system. Neoliberal institutionalism generally leans toward a neorealist view in that it does not see conditions as being ripe for an effective or vibrant role for the UN. By adhering to a strict rationalism and leaning heavily on materialism, both neorealism and neoliberal institutionalism are hard-pressed to identify much of a role for the UN in the production and maintenance of international order in the ways advocated by these reports.

In contrast to neorealism, which emphasizes coercion and force, and neoliberal institutionalism, which focuses on stabilized exchange relations through norms and institutions, constructivism entertains the possibility that order is also achieved through a normative structure, an acceptance of some basic rules of the game that place normative restrictions on behavior.[69] Not all constructivists are advocates of a liberal

[67] Andrew Hurrell and Ngaire Woods, "Globalisation and Inequality," *Millennium* 24, no. 3 (1995); Marie-Cloude Smouts, "International Organizations and Inequality among States," *International Social Science Journal* 144, no. 3 (1995); Sandra Whitworth, *Feminism and International Relations: Towards a Political Economy of Gender in Interstate and Non-Governmental Institutions* (New York: St. Martin's Press, 1994).

[68] See, for instance, Liisa Mallki, "Speechless Emissaries: Refugees, Humanitarianism, and Dehistoricization," *Cultural Anthropology* 11 (Fall 1996); Michael Barnett and Martha Finnemore, "The Politics, Power, and Pathologies of International Organizations" (Paper presented at the International Studies Association annual meetings, Toronto, March 20–24, 1997).

[69] Alexander Wendt, "Constructing International Politics," *International Security* 20 (Summer 1995); Jepperson, Wendt, and Katzenstein (fn. 44); and Emanuel Adler "Seizing the Middle Ground: Constructivism and World Politics," *European Journal of International Relations* (forthcoming). See also Dennis Wrong, *The Problem of Order* (New York: Free Press, 1994), chap. 3; Jeffrey Alexander, *Twenty Lectures* (New York: Columbia University Press, 1987), chap. 1; and John Rhoads, *Critical Issues in Social Theory* (College Station: Penn State Press, 1991), chap. 5.

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worldview or agree that a liberal world would be a pacific world; nor would constructivists argue that coercion and stabilized exchange relations are not important factors in the reproduction of international order. But because constructivism shares with these reports a consideration of how international order is secured through normative forces, it is better able to consider, first, how international order might be produced by the articulation, legitimation, and transmission of the codes of state conduct, and second, the potential role of the UN in all the above. Few international orders are ever founded or sustained by force alone, something well understood by the policymakers who drafted these reports and wisely heeded by international relations theorists who attempt to understand their actions and the international orders that they construct and sustain.

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INTERNAL WAR
Causes and Cures

By STEVEN R. DAVID

Michael Brown, ed. *The International Dimensions of Internal Conflict.* Cambridge, Mass.: Center for Science and International Affairs, 1996, 653 pp.
Roy Licklider, ed. *Stopping the Killing: How Civil Wars End.* New York: New York University Press, 1993, 354 pp.

INTERNAL war is rapidly becoming a central concern for students of international relations, and with good reason. War has always been at the center of international relations, and internal war has become by far the most common form of armed conflict. Wars within countries are not a new phenomenon, but the intense interest in them is unprecedented. Also new are the approaches used to make internal war understandable. Rather than focusing on specific countries, much of the recent work draws upon insights from the field of international relations to develop generalizations for explaining domestic conflict. Those interested in the future course of world politics must address some critical questions, in particular, why there is an upsurge in interest in internal war at this time and whether using new tools we can expand our understanding of its causes and cures.

For much of the cold war internal war received relatively little scholarly attention,[1] although there was a brief spate of interest in the 1960s that helped define the field. Scholars such as George Modelski, Harry Eckstein, and Samuel Huntington noted the importance of internal war in shaping the policies of the great powers (as seen in the Russian and Chinese Revolutions), the tendency of internal wars to drag in other states (Greece, the Congo), and the growing proportion of armed conflicts occurring within countries rather than between them.[2] For the

[1] Drawing from the Brown volume, I define "internal war" as a violent dispute whose origins can be traced primarily to domestic rather than to systemic factors, and one in which armed violence occurs primarily within the borders of a single state. The terms internal war, civil war, and domestic conflict are used interchangeably throughout this essay.

[2] Eckstein, ed., *Internal War: Problems and Approaches* (Glencoe, Ill.: Free Press, 1964); Modelski, "International Settlement of Internal War," in James N. Rosenau, ed., *International Aspects of Civil*

World Politics 49 (July 1997), 552–76

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most part, however, this early work was not developed further. Instead, with the state seen as the primary actor in international affairs and the Soviet threat looming, internal wars were consigned to those interested in country studies or counterinsurgency tactics.

The appearance of the books under review and a flood of other books and articles on the subject of internal war raises the question of why the sudden surge of interest at this time. Contrary to conventional wisdom, the number of internal wars has not increased markedly since the end of the cold war. Rather, the collapse of the Soviet Union has enhanced only slightly a trend toward more domestic conflicts that has been in evidence since the 1960s.[3] The origins of internal war have also not undergone any major transformation since the collapse of the Soviet Union. Most internal wars, whether dating from before or after 1989, stem from power struggles in which ethnic and religious groups seek to wrest control of the state from regimes they believe are oppressing them. Finally, the intensity of internal wars has not changed over the past decades. There is no evidence of an increase in the casualties or material devastation from internal conflicts since the end of the cold war.[4]

The renewed attention to internal war can be explained by the following three reasons. First, the *relative* importance of internal war as a form of armed conflict has risen noticeably in recent years. With the end of the cold war, major armed conflicts have been almost exclusively domestic. While internal wars have made up over 80 percent of the wars and casualties since the end of World War II,[5] this preponderance has become even more striking since the end of the cold war. From 1989 to 1996 there have been ninety-six armed conflicts, of which only five have been between states. In 1993 and 1994 there were *no* interstate conflicts, and in 1995 there was only one (a minor skirmish be-

Strife (Princeton: Princeton University Press, 1964); and Huntington, "Patterns of Violence in World Politics," in Huntington, ed., *Changing Patterns of Military Politics* (New York: Free Press, 1962).

[3] There are several internal war data sets that demonstrate the steady increase in their number (and the absence of any surge after the cold war). They include Peter Wallensteen and Margareta Sollenberg, "The End of International War? Armed Conflict, 1989–1995," *Journal of Peace Research* (August 1996); Ted Robert Gurr, *Minorities at Risk: A Global View of Ethnopolitical Conflict* (Washington, D.C.: United States Institute of Peace, 1993); Roy Licklider, "The Consequences of Negotiated Settlements in Civil Wars, 1945–1993," *American Political Science Review* 89 (September 1995), 688–89; and Michael E. Brown, "Introduction," in Brown, ed., *The International Dimensions of Internal Conflict* (Cambridge: MIT Press, 1996), 4–7.

[4] The continuity of the nature of internal wars from the cold war period to the post–cold war era is best expressed by Ted Robert Gurr, "Peoples against States: Ethnopolitical Conflict and the Changing World System," *International Studies Quarterly* 38 (September 1994).

[5] This figure is calculated from Ruth Leger Sivard, *World Military and Social Expenditures, 1996* (Washington, D.C.: World Priorities, 1996), 18–19.

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tween Ecuador and Peru).[6] Those interested in contemporary warfare are left little choice but to focus on internal war. Moreover, unlike interstate wars, no one suggests that internal wars are becoming obsolete, cannot occur in democracies, or will diminish markedly in the post–cold war era. Instead, there is every expectation that internal conflicts will continue to erupt and fester throughout the world.

Second, interest in internal wars has increased because of where they are taking place. The collapse of the Soviet empire placed internal wars in full view of the developed world. Since the end of the cold war Europe has experienced greater growth than any other region in the number of internal conflicts.[7] The emergence of weak states in the former Soviet republics (such as Azerbeijan, Armenia, and Georgia), conflict in Russia itself (Chechnya), and most notably, the advent of civil war in what was Yugoslavia all occurred on the doorstep of the West. When internal war remained largely an affliction of weak, sub-Saharan African states, interest was not that great. Now that European states have showed that they too could fall victim to internal war (a victimization well documented by the media), those who saw internal war as a Third World phenomenon to be ignored suddenly found their interest in civil conflict piqued.

A third set of reasons for the revitalization of interest in internal war is that with the end of the cold war many scholars who had focused on the Soviet threat were forced to find a new interest. Thus, issues that used to concern students of security affairs such as the NATO–Warsaw Pact balance and the prospect of superpower nuclear war have essentially disappeared. And the problems that have taken their place—ethnic conflict, genocide, environmental degradation, human rights abuses—are often driven by internal war. These scholars have brought new ideas to explaining internal war, which, in turn, has drawn new attention to the field.

Given the importance of internal war, it is critical to determine its causes. It turns out, though, that they point in all directions. At times, internal war is the result of individual calculation; at other times group interests are the determining factor. Some internal wars are rational and purposeful, while others are emotional and nihilistic. Large-scale violence against the government comes about because it is seen as weak or because people no longer view its exercise of power as legitimate. Weak governments promote internal war by tempting would-be insurgents to chal-

[6] Wallensteen and Sollenberg (fn. 3), 353.

[7] Margareta Sollenberg, ed., *States in Armed Conflict, 1994*, Report no. 39 (Uppsala: Department of Peace and Conflict Research, Uppsala University, 1995), 9.

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lenge the regime's authority. Strong governments promote internal war by encouraging the belief that the time is right to eliminate would-be insurgents. Stable international environments enable regimes to target threatening groups free of fear that outsiders will come to the assistance of those groups. Hostile international environments spur internal conflict as outside states back rebel groups in enemy countries. Adding to the confusion, the causes of internal war are so general that it is unclear how much they really explain. Any internal war can be made understandable after the fact by asserting that people were frustrated, or lost confidence in government, or were carried away by emotion. But these feelings or beliefs are always present and therefore may tell us little about why they sometimes produce internal war and sometimes do not.[8]

The proposed cures for internal war are similarly contradictory. Outside involvement is seen as necessary to halt wars that belligerents cannot stop on their own, but it is also seen as making things worse by relieving the combatants of responsibility for settling their own disputes. Some proclaim that regional organizations are the key to ending civil strife, while others declare them incapable of producing peace. Cease-fires promote peace by enabling the belligerents to negotiate in an environment free from violence, but they can also prolong war by easing the pain endured by the fighters.

That there are so many possible causes and cures for internal war and that many of them contradict one another should not be surprising. For all its complexity, international war involves like units (states) operating under a given framework (anarchy). By contrast, the main actors in internal war range from government-directed modern armies to roving bands of youths. The contexts vary from ones of tight central control to situations of total absence of authority. Internal wars include such diverse conflicts as revolutions, insurrections, insurgencies, terrorist campaigns, and mass slaughters.

That there are differences between internal wars does not, however, preclude the possibility of being able to offer some generalizations about their origins and remedies. Even if there is not some single factor or theory to explain the origins and remedies of all internal conflicts (and, after all, there is no such theory to explain the far simpler problem of war between states), there may well be causes and cures common to many if not most of these conflicts.

The books under review, both edited volumes that apply new ap-

[8] Two excellent surveys of the causes of internal war are James B. Rule *Theories of Civil Violence* (Berkeley: University of California Press, 1988); and Ted Robert Gurr, ed., *Handbook of Political Conflict* (New York: Free Press, 1980).

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proaches to the study of internal war, seek to provide some generalizations about the topic. Michael Brown's *The International Dimension of Internal Conflict* is perhaps the best comprehensive treatment of internal war. It brings together a mostly first-rate collection of essays on the causes, effects, and potential solutions to internal war. Roy Licklider's *Stopping the Killing* combines theoretical chapters with case studies of internal war to explore ways of halting domestic conflict. Despite their differences, these works share a belief that internal war is of critical importance not only for the countries in which they take place but also for the broader interests of the global community.

Causes

Neorealism and Internal War

During the cold war, historians, sociologists, and country specialists dominated the study of internal war. As ethnic conflict seemingly exploded across the globe, there appeared a spate of new works exploring issues of identity, nationalism, social structure, and nation building. Benedict Anderson's, *Imagined Communities*, Donald Horowitz's *Ethnic Groups in Conflict*, Liah Greenfeld's *Nationalism: Five Roads to Modernity*, and Anthony Smith's *National Identity* are some of the best scholarly attempts to grapple with the question of why so many states were torn by ethnopolitical conflict.[9] Although these works differed in approach and in the questions they raised and the answers they proposed, they all shared a concern with one issue in particular: why belonging to the same state was insufficient to prevent groups from believing they had a *right* to attack one another and the government to which they ostensibly owed allegiance.

With the end of the cold war, a new literature has emerged that uses neorealism in an attempt to make internal war understandable. Although neorealists take diverse paths to understand internal war, all stress anarchy as the underlying or permissive cause of armed conflict within states, just as it is between states. This approach, some of which is reflected in the reviewed volumes, has not been received well by nonneorealists and other scholars who do not focus on international relations. Comparativists, sociologists, and most political scientists dismiss neorealism outright for ignoring the subtleties of the societies they

[9] Anderson, *Imagined Communities: Reflections on the Origins and Spread of Nationalism* (London: Verso, 1983); Horowitz, *Ethnic Groups in Conflict* (Berkeley: University of California Press, 1985); Greenfeld, *Nationalism: Five Roads to Modernity* (Cambridge: Harvard University Press, 1992); and Smith, *National Identity* (London: Penguin, 1991).

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study, that is, such key factors as identity and social structure.[10] This kind of blanket repudiation is misguided. Neorealism poses a serious challenge to existing approaches to the study of internal war and deserves to be taken seriously, for a number of reasons.

First, neorealism is arguably the dominant approach to understanding the causes and cures of interstate conflict, and many argue that it should be applicable to internal war as well. In his chapter in *Stopping the Killing* Robert Wagner makes a strong case for using the insights of international relations theory to explain war within states just as it does war between states. He argues that it is impossible to distinguish between the international and domestic realms based on levels of violence or the presence or absence of effective government. Increasingly, the international domain is marked by declining conflict and seemingly enhanced conformity with the dictates of global institutions and norms. At the same time, large numbers of states are unable to impose order within their societies as civil conflict inexorably spreads. Perhaps, then, international relations theorists have things exactly backward: instead of a world of international anarchy and domestic order, it is more accurate to assume a world of international order and domestic anarchy.[11] And for understanding violence and anarchy, there seems to be no more appropriate tool than neorealism.

Second, neorealism is worthy of consideration for understanding internal war if only because it promises so much. Like Alexander the Great cutting the Gordian knot, neorealism seems to have the potential to slice through the muddled complexities of the causes and cures of internal war with insights of startling simplicity. Thus, according to neorealism, once central authority collapses, a microcosm of the international system is replicated within the state; this, in turn, causes domestic groups inside a country to behave much as states do in the international system. As Barry Posen argues, under conditions of anarchy groups within states fear for their security in the same way that states do:

> In areas such as the former Soviet Union and Yugoslavia, "sovereigns" have disappeared. They leave in their wake a host of groups—ethnic, religious,

[10] For an explicit criticism of the neorealist approach for its failure to take into account social structures (in this case, regarding the amount of military power that can be generated by states from different cultures), see Stephen Peter Rosen, "Military Effectiveness: Why Society Matters," *International Security* 19 (Spring 1996).

[11] The reversal of second and third images is found in the work of several scholars focusing on unstable states. See, for example, Robert Jackson, *Quasi-States: Sovereignty, International Relations and the Third World* (Cambridge: Cambridge University Press, 1990); Barry Buzan, *People, States and Fear: The National Security Problem in International Relations* (Chapel Hill: University of North Carolina Press, 1983); Mohammed Ayoob, "Security in the Third World: The Worm about to Turn," *International Affairs* 60 (Winter 1983–84).

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> cultural—of greater or lesser cohesion. These groups must pay attention to the first things that states have historically addressed—the problem of security—even though many of these groups still lack many of the attributes of statehood.[12]

A key concept of neorealism, the security dilemma, comes into play when the state can no longer protect groups within its borders. The security dilemma asserts that efforts to improve one's security in an environment of anarchy makes others feel less secure and thereby lessens security for all.[13] In the wake of governmental collapse groups that may have lived in harmony under a strong central government suddenly view each other with suspicion, interpreting every act as a threat. In Yugoslavia, for example, neorealists see the disintegration of central authority as leading directly to the warfare that has plagued the Balkans throughout the 1990s. It is tempting to point to interethnic hatreds, ancient feuds, and conflicts over identity to explain the wars within and among the former Yugoslav republics. But as Michael Ignatieff reminds us in *Blood and Belonging*, Serbs, Croats, and Muslims lived in relative harmony for most of the twentieth century. They had high rates of intermarriage, lived in the same villages, and attended many of the same schools. What turned friends and neighbors into crazed killers was the power vacuum that emerged in the wake of Tito's death. Without a central government to ensure order and guarantee personal security, people became afraid. They sought protection where they could find it, which turned out to be their ethnic brethren. As Ignatieff writes:

> Once the Yugoslav Communist state began to spin apart into its constituent national particles, the key questions soon became: Will the local Croat policemen protect me if I am a Serb? Will I keep my job in the soap factory if my new boss is a Serb or a Muslim? The answer to these questions was no, because no state remained to enforce the old inter-ethnic bargain.[14]

Ethnic antagonisms helped fuel the conflict, but they would not have led to war without the collapse of authority.

Neorealists contend that the implications of the security dilemma for the behavior of intrastate groups in an environment of anarchy are as predictable as they are for states in the international system. Thus, the security dilemma should be especially acute for groups isolated from

[12] Barry Posen, "The Security Dilemma and Ethnic Conflict," in Michael E. Brown, ed., *Ethnic Conflict and International Security* (Princeton: Princeton University Press, 1993), 104.

[13] The security dilemma comes from Robert Jervis, "Cooperation under the Security Dilemma," *World Politics* 30 (January 1978).

[14] Ignatieff, *Blood and Belonging: Journeys into the New Nationalism* (New York: Farrar, Straus and Giroux, 1993), 42.

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their ethnic brethren within states, just as it is for states that are similarly remote from potential protectors. When technology and topography favor the side seeking to go on the offense, the prospects for intrastate war rise as they would for war between states. Just as the logic of anarchy leads states to protect themselves in ways that may inadvertently lead to interstate warfare, so too the collapse of domestic authority leads groups within states to take measures to defend themselves that may lead to internal warfare, regardless of whether that was their original intention.[15]

Neorealism also offers guidance in the form of two basic solutions on how to stop internal wars. First, since internal wars stem from domestic anarchy, what is needed is the restoration of a central authority capable of imposing order. In this view Thomas Hobbes was correct that the threat of internal war is ended by the establishment of a central government strong enough to take on all challenges.[16] Ideally, the state afflicted with internal war would establish its own strong government. Alternatively, outside states can step in and establish control, as Vietnam did in Cambodia and Syria did in Lebanon.

Another neorealist approach to ending internal wars is based on the balance of power, which deters interstate warfare and similarly, it is assumed, can be employed to prevent warfare within states. One means of doing this is to promote the breakup of the state into ethnically homogenous independent countries (assuming of course that ethnic hatreds are at the root of the conflict), each of which balances the other. Where balances cannot be achieved internally, outside states can step in and establish alliances to protect weaker powers. By facilitating peaceful "ethnic cleansing," the international community prevents the mass killings that so often accompany internal war and raises the hope of creating the same stable balance of power that has deterred conflict on the international level.[17] Thus, for example, John Mearsheimer and Stephen Van Evera urge an ethnically based partition for Bosnia, Croatia, and Serbia along with international support for Bosnia to make certain that it can withstand threats from its stronger neighbors.[18] Neorealists

[15] Posen (fn. 12), 103–11. For more on security dilemmas in internal wars, see also Chaim Kaufmann, "Possible and Impossible Solutions to Ethnic Civil Wars," *International Security* 20 (Spring 1996), 147–51.

[16] Thomas Hobbes, *Behemoth or the Long Parliament*, ed. Ferdinand Tonnies, 2d ed. (London: Frank Cass, 1969); idem, *Leviathan*, ed. C. B. McPherson (New York: Penguin, 1968).

[17] The creation of ethnically homogenous states is supported by Michael Lind, "In Defense of Liberal Nationalism," *Foreign Affairs* 73 (May–June 1994). For countries torn by ethnic strife, Chaim Kaufmann supports the separation of ethnic groups into defensible enclaves—though not necessarily into separate states. See Kaufmann (fn. 15), 161–65.

[18] Mearsheimer and Van Evera, "When Peace Means War," *New Republic*, December 18, 1995.

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also assert that outside states can end internal wars by intervening so as to tilt the local balance of power to one side or the other, thus enabling it to impose order. Since stalemates often encourage the prolongation of civil wars, making sure that one side wins ensures quick termination of the conflict. Richard Betts argues that the failure of the United States and its NATO allies to support one party over the others in Somalia and the Balkans helped prolong those civil wars.[19]

History supports the neorealist contention that a major factor in internal war is a weak government unable to control unruly subjects. Thus, the spurt in internal wars in the 1960s coincided with the height of decolonization, at which time scores of fragile new states were struggling to impose order over groups that violently resisted their control. And similarly, the creation of new states in Europe in the wake of the collapse of the Soviet empire encouraged power struggles among groups whose aspirations for autonomy and independence had heretofore been kept in check. There is little question that the shift in the balance of power from the state to groups within the state is a major reason for the eruption of civil conflict. And in focusing on such occurrences, neorealism contributes to our understanding of internal war.

The Limitations of Neorealism

Despite its benefits, neorealism is nevertheless an inadequate approach for explaining internal war. It does well in explaining the dynamics of some internal wars once they erupt, but it is deficient in explaining the causes of internal wars and the cures that can be administered. Just as domestic politics is not international politics writ small, so too internal war is not simply a scaled-down version of international war. The key distinction is the role of anarchy. The explanations and predictions that flow from neorealism stem from its assumption that anarchy on the domestic level is roughly equivalent to anarchy on the international level.

That assumption is not correct, however. First, while neorealism correctly notes that domestic anarchy can be an underlying or permissive cause for some internal wars, it does not explain how anarchy was created in the first place. More often than not, where anarchy does emerge (for example, in Liberia and Somalia), it is taken as a given. But anarchy cannot simply be assumed in internal wars: rather, most states most of the time can ensure compliance. On the international level, by con-

[19] The value of creating an imbalance of power rather than letting a war stalemate is persuasively argued by Betts, "The Delusion of Impartial Intervention," *Foreign Affairs* 72 (November–December 1994).

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trast, there is general agreement that there is no overarching power to compel states to do what they do not want to do. International relations theorists may therefore ignore how anarchy comes about, but it is a central problem for students of internal war.

Moreover the greatest number of internal wars by far occur where governments continue to exercise some degree of control; that is, they do not take place in the environment of anarchy assumed by neorealism. The Russian attempts to suppress the Chechnya uprising and the civil war in Algeria are far more typical than are the Liberias and the Somalias, which have garnered so much attention in the post–cold war era. Indeed, in many internal wars neorealist logic is turned on it head, as it is the strengthening of central authority, rather than its weakening or collapse, that is the permissive cause of internal war. Domestic conflict originates in governments seeking to destroy would-be insurgents as well as insurgents challenging governments. Just as states do not embark on wars they believe they will lose, so it is with governments: they tolerate threats to their rule if they cannot eliminate them but make war on those challengers when they believe themselves strong enough to do so. Thus, for example, Ethiopia's internal war against Eritrea in the 1970s was far less intense when the Marxist government of Mengistu Haile Mariam was weak than when the Mengistu regime (armed with Soviet weapons) became strong.[20] Where government rule remains strong and anarchy does not define the context of the fighting, then, neorealism contributes little to an understanding of internal war.

Apart from emphasizing anarchy, neorealism also stresses material factors and parsimony, at the expense of a vast array of other motivations—religious, ideological, and emotional—that fuel domestic conflict. Thus, since neorealism argues that individuals or groups will not make war on their governments if they think they will lose, how does it explain the many internal wars that are fought for decades (for example, in the Sudan) against seemingly impossible odds? The neorealist assumption that states are similar units that behave in a like manner is not helpful for understanding internal war, where it is precisely in the vast differences among states that one finds the key to explaining why internal wars occur in some countries but not in others. Finally, neorealism tells us little about the role of legitimacy of government. Clearly,

[20] The intensification of the Ethiopian war against Eritrea *after* the strengthening of the Mengistu regime is discussed in virtually all accounts of the conflict. See, for example, Colin Legum and Bill Lee, *The Horn of Africa in Continuing Crisis* (New York: Africana, 1979); Marina Ottaway, *Soviet and American Influence in the Horn of Africa* (New York: Praeger, 1983); and Paul B. Henze, *Russians and the Horn: Opportunism and the Long View*, European-American Institute for Security Research, EAI Papers, no. 5 (Marina del Ray, Calif.: European-American Institute, 1983).

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the occurrence of internal wars is related to whether the people believe in the government's right to rule. On this subject, neorealism is silent.

In sum, neorealism provides some help in understanding internal war, but it is far from a complete explanation. For those internal wars that take place in an environment of anarchy, neorealism's insights into the behavior of states in the international system can be usefully applied. Neorealism is also helpful in explaining that some internal wars—like wars between states—break out because there is no central authority to prevent them from doing so. Neorealism is not very helpful, however, in explaining how anarchy developed in the first place; nor is it helpful for cases where conditions of anarchy or near anarchy are not present. To respond to these critical issues it is necessary to consider approaches that examine internal war free from the constraints of neorealism.

Bad Leaders as a Cause of Internal War

If neorealism is an inadequate approach, are there other theories that can explain why wars break out in some states and not in others and predict where and when it will happen? There is no clear answer to this question in the literature. Indeed, the German philosopher and poet Hans Enzensberger cautions that it may be pointless to look for a rational cause at all. As he sees it, violence is an end in itself and civil wars are waged "about nothing at all."[21] Domestic conflicts will continue so long as there is no central power to stop them. Despite Enzensberger's contention, however, most states are not wracked by civil wars. The great majority of the industrialized states enjoy domestic peace, and even many countries in the Third World, especially in Asia and Latin America, are not threatened by internal war, at least for now. Enzensberger provides a useful qualification that internal wars can be fought not for material benefit (as the neorealists would have us believe) but for nothing more than the sheer pleasure of killing. Internal wars in places like Lebanon and Liberia support his contention that wars that may have begun for "rational" reasons can degenerate into mindless killing with a life of their own. But more generally, it is both unhelpful and misguided to assert that nihilistic impulses explain most civil conflicts.

A far better insight into the causes of internal war is presented in the book by Michael Brown, much of it by Brown himself. Brown begins by rebuking the "ancient hatreds" view of internal war, in which groups with long-standing grievances erupt into violence once a constraining

[21] Enzensberger, *Civil War* (London: Granta, 1994), 30.

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hand (for example, of the Soviet Union) falls from their shoulders. As Brown correctly points out, there are too many cases where hatreds did not lead to violent conflict (for example, the Czechs and the Slovaks, the Ukrainians and the Russians) to posit this as a major cause of internal war (pp. 12–13).

What then is at the root of civil conflict? It appears at first to be virtually everything. Thus, Brown identifies four broad sets of explanatory factors: structural (strength of the state, presence of ethnic minorities); political (the fairness of the political system, whether citizenship is ethnic or civic based); economic (health of the economy, stage of economic development); and cultural/perceptual (presence of discrimination against minorities, views groups have of themselves and others) (pp. 12–23). This list, while certainly accurate, suffers from two major drawbacks. First, it does not tell us anything new. It is hardly surprising the weak states that are plagued by ethnic animosity and face economic problems will be more prone to violence than states with a homogenous population, a strong government, and a healthy economy. Second, as Brown himself notes, while these factors may explain the underlying causes of internal war, they are less helpful in explaining what triggers domestic conflict. To a greater or lesser extent, these conditions exist everywhere. For those interested in a parsimonious explanation of why some states are afflicted by internal war and others not, these conditions disappoint.

Brown does much better when he advances his own explanation for internal war. He argues that while mass-level conditions help explain which countries are vulnerable to internal war, elite-level forces are much more important in explaining the proximate causes of domestic conflict. Internal wars happen not because one people hates another, but rather because of the rational and deliberate decisions of "bad" leaders. Heads of state make decisions that lead to war because they are more interested in staying in power than in preserving the peace for their citizens. In looking to identify what allows bad leaders to drive their people to internal war in some places but not in others, Brown distills the many underlying causes of internal war to the two most important: a strong sense of antagonistic group history and mounting economic problems. When these factors come together with bad leaders, internal war can be expected. Where even one is absent, the likelihood of internal war is dramatically less.

This is an important argument. It says that much of what scholars study is not at the heart of why internal wars occur. Factors such as the level of modernization in countries, the strength of governments, and

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the prevailing culture are not as important in explaining the outbreak of internal war as are the decisions of individual leaders. Outside forces such as meddling states play a relatively minor role in bringing about civil conflict. If accurate, Brown's argument provides a parsimonious way of identifying which countries are most vulnerable to internal war; it also suggests ways of halting internal war.

There is much to suggest that Brown is at least on the right track in the factors that he isolates. No one can refute that antagonistic group histories have played a central role in internal conflicts. Algeria, Angola, Bosnia, Burundi, Liberia, Russia, Sri Lanka, and Sudan are just some of the countries where internal wars driven by groups who hated one another have occurred. Nor can one discount economic factors in explaining internal war. In virtually every case of internal war, the afflicted country faced serious and growing economic problems. Even more telling, countries that have escaped the horror of internal war have, for the most part, done well economically. Chapters in the Brown volume by Rachel Bronson on the Middle East and Trevor Findlay on Southeast Asia make a persuasive case that many states in these regions have been able to stave off internal war precisely because economic growth allowed potentially hostile groups to be co-opted.

If Brown's arguments on the importance of group relations and the state of the economy are persuasive, it is his assertion that domestic elites, particularly leaders, bring about internal wars that is most arresting. He is right to ascribe a central role to leaders, but he does not go far enough in exploring the theoretical justifications for doing so. The key question is why leaders—both of governments and of rebel groups—provoke internal wars. For most neorealists, heads of state act in the national interest to defend their country from threats posed by other states. However, much of the literature on the Third World has long argued that government leaders act not so much in the national interest as on behalf of their own personal interest—not so much to defend themselves against threats from other states as to protect themselves from domestic challengers. Remaining in power is a leader's paramount interest. Leaders not only seek the benefits of power (wealth, status), but they also wish to avoid the unpleasant consequences of being forcibly removed from power; in many states that includes the possibility of being killed. Similarly, leaders of insurgent groups will challenge the government to gain the benefits under its control, and in the interim they will act to maintain their own position of leadership out of concern for personal survival and individual aggrandizement. Internal war results, therefore, when leaders of states

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or groups see its outbreak as a means of perpetuating themselves in power.[22]

There are many examples of leaders who provoke internal wars to guarantee their hold on power, for example, those who provoked the ethnic conflict between Hutus and Tutsis that led to genocide in Rwanda. Boris Yeltsin's shift from escalating the war with Chechnya to trying to reach a settlement with the insurgents reflected the changing impact of the conflict on his chances of remaining president. The persistence of the civil war in Angola can be explained at least in part by its providing rebel leader Jonas Savimbi with access to untold wealth from diamond mines controlled by insurgent forces. Warlords in Somalia and Liberia owe their position and prosperity to the perpetuation of internal wars they understandably have little desire to see ended.

In the Balkans there is no doubt that leaders of the former Yugoslavia, particularly Serbian head, Slobodan Milosevic, helped cause the fighting by inflaming ethnic nationalism. Although some neorealists hold that rabid nationalist appeals are made to mobilize support in order to better protect fledgling states from threats by other states,[23] Brown's leadership-centered approach is the more persuasive argument: Milosevic (and others) stirred up ethnic conflict in order to realize their personal interest of remaining in power. The chief threats facing them come not from other countries but from non-Serbian groups within the state. Recognizing that he could not hold on to power in a multiethnic Yugoslavia with a Serbian minority, Milosevic deliberately fostered a racist nationalism that resulted in the replacement of most of Yugoslavia with a state that had a clear Serbian majority.[24]

Despite some promise, Brown's formulation has its problems. First, his assertion that the interests of leaders drive internal wars is not systematically tested against actual cases. Although he provides a chart showing that the overwhelming number of internal wars was triggered by elites (twenty-six out of thirty-four post–cold war cases), there is, with only a few exceptions, little evidence offered to support the assertion (p. 582). Moreover, Brown does not explain exactly what consti-

[22] For a fuller treatment of this view, see Steven R. David, "Explaining Third World Alignment," *World Politics* 43 (January 1991).

[23] Barry R. Posen makes the argument that states engender nationalism in order to enhance their ability to defend themselves from external threats; see Posen, "Nationalism, the Mass Army and Military Power," *International Security* 18 (Fall 1993).

[24] Many have made the case that the war in the Balkans stems from Milosevic's desire to remain in power. See V. P. Gangon Jr., "Ethnic Nationalism and International Conflict: The Case of Serbia," *International Security* 19 (Winter 1994–95); Alex Djilas, "A Profile of Slobodan Milosevic," *Foreign Affairs* 72 (Summer 1993); and Misha Glenny, *The Fall of Yugoslavia: The Third Balkan War* (New York: Penguin, 1992).

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tutes an elite-level cause. All internal wars are products of both elite and mass behavior, but the difficult task of isolating one from the other is not adequately undertaken in this volume. The reader is left to wonder why, for example, the seemingly mass-based Kurdish revolt is described as produced by elites, while the Kashmir dispute, despite an important elite component, is seen as mass driven. Justifications for these and other classifications are mostly not provided.

Second, Brown chides scholars for focusing on mass-level factors to the exclusion of elites, who, he argues, are more important as the proximate cause of internal conflict. But why are leaders more important than other factors? Are their decisions really more important than the collapse of domestic authority, ethnic hatreds, economic problems, or repressive rule? Brown makes much of the fact that it is "bad" leaders that drive internal conflicts, but he assumes a latitude in decision making that he does not demonstrate they possess. In one sense, of course, the Milosevics of the world are "bad" in that they exacerbate hatreds to further their own ends. But can we really expect leaders to act in ways that would undermine their tenure in office? If there are examples of "good" leaders who willingly risk their position in power in order to prevent internal war, Brown does not mention them. The bad leaders model simply begs the question of when you get bad leaders and what does "bad" really mean when it may just indicate leaders who are rational and self-interested.

Brown alleges that societies experiencing economic growth are less likely to experience internal war. But he ignores arguments asserting that rising expectations that are produced by economic growth are often at the root of domestic conflict.[25] Moreover, he does not adequately consider how problems of differential gains across social, ethnic, and religious groups can foster violence. Brown is very good at discussing how leaders incite groups to attack others in order to solidify their hold on power. But he does not pay attention to how differing domestic political structures either facilitate or exacerbate the mobilization of populations to serve the leaders' ends.[26] Brown does a good job of explaining how the permissive conditions of economic problems and historic antagonisms lead to civil wars, but he is less successful at explaining the many more cases where they do not.

[25] See, for example, James Davies, "Toward a Theory of Revolution," *American Sociological Review* 27 (February 1962); idem, "The J-Curve of Rising and Declining Satisfaction as a Cause of Revolution and Rebellion," in Ted Gurr and Hugh Davis, eds., *Violence in America: Historical and Comparative Perspectives* (Beverly Hills, Calif.: Sage, 1979).

[26] The best argument for lack of institutionalization as a cause of domestic unrest is made by Samuel Huntington, *Political Order in Changing Societies* (New Haven: Yale University Press, 1968).

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In the final analysis, Brown's argument tantalizes but does not fully persuade. If indeed the proximate cause of most internal wars lies with leaders who have the latitude to choose other paths, and if these leaders are able to provoke conflicts only in states already afflicted with antagonistic groups and mounting economic problems, then our understanding of the causes of internal war have been advanced considerably. Since internal wars are so varied in their origins, however, efforts at generalization need to be greeted with some skepticism. Brown's promise to bring order to the chaos of the study of internal war remains just that—a promise. It is up to country specialists, historians, sociologists, and other scholars to determine through detailed case studies whether the parsimony of Brown's approach is achieved only at the expense of accuracy.

CURES

Whatever the causes of internal war, there is little doubt that domestic conflicts will persist for the foreseeable future. Consequently, a great deal of attention has been paid to coping with internal wars. Whether they focus on the afflicted states themselves or on outsiders, various recommendations have been put forth to manage or end domestic conflicts. For the most part, the results have been disappointing. To a greater extent than even with international war, effective solutions for internal war have not materialized. Insofar as the literature on internal war (including the books under review) has made a contribution, it lies in accurately portraying the dismal prospects of ending violent civil conflict anytime soon.[27]

Nowhere are the problems inherent in halting internal wars more apparent than in *Stopping the Killing*, the edited volume by Roy Licklider. Using case studies and theoretical analyses, Licklider and his fellow authors tried to produce lessons to assist scholars and policymakers find ways to stop civil wars in such a way that they do not begin again. Each of the authors was asked to consider such factors as the nature of the issues underlying the conflict, the internal politics of each side, the military balance in the field, the role played by third parties, and the

[27] There is a large and growing literature on how to end internal wars, mostly focusing on negotiations. See, for example, William Zartman, ed., *Negotiating Internal Conflicts* (Columbia: University of South Carolina Press, 1993); idem, *Negotiating an End to Civil Wars* (Washington, D.C.: Brookings Institution, 1995); Paul R. Pillar, *Negotiating Peace: War Termination as a Bargaining Process* (Princeton: Princeton University Press, 1983); Richard A. Falk, *The International Law of Civil War* (Baltimore: Johns Hopkins University Press, 1971); Stephen John Stedman, *Peacemaking in Civil War* (Boulder, Colo.: Lynne Rienner, 1991); and Barbara F. Walter, "The Resolution of Civil Wars: Why Incumbents and Insurgents Fail to Negotiate" (Ph.D. thesis, University of Chicago, 1994).

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inclusiveness of the society that surfaced after the settlement. Useful guidelines for "stopping the killing" were expected to emerge from these focused comparisons.

Despite the various authors' attempts to grapple with the problem of halting civil war, no consensus emerges on what to do, and the usefulness of such lessons as are put forth is questionable. Thus, William Zartman's argument that settlements require a "hurting stalemate" in which both sides see no benefit in continuing the struggle does not take into account the view (of Richard Betts and others) that the way to end an internal war is not through deadlock but rather through one side having enough of an edge to impose a settlement (pp. 24-25). Licklider attempts to reconcile various suggestions for ending internal war in the last chapter, but it is a forced, unpersuasive effort. In the final analysis, the greatest value of *Stopping the Killing* is in leaving us with the probably accurate if pessimistic conclusion that the vast differences in the origins and nature of civil conflict make it difficult, perhaps even impossible, to achieve overarching solutions; they are inevitably either too general to be useful or too specific to apply to most or many cases.

The empirical record bears out the intractability of internal conflicts highlighted by *Stopping the Killing*. Negotiated settlements of civil wars are much less common than negotiated settlements of international wars: between 1940 and 1990 only 20 percent of civil wars were resolved through negotiations, as compared with 55 percent of interstate wars.[28] Even when a settlement is reached, there is no guarantee it will last. Data collected by Licklider (not presented in *Stopping the Killing*) demonstrate that negotiated settlements of civil wars are far less likely to endure than are the results of military victories. Renewal of conflict occurred in fully half of the negotiated settlements, but in only 15 percent of the military settlements.[29] From 1991 to 1994, as John Stedman notes, negotiated settlements of civil wars in Cambodia, Liberia, Angola, and Rwanda fell apart, resulting in renewed warfare (p. 363). Should one draw the conclusion, then, that military victories are the preferred way of ending internal conflicts? Perhaps not, for as Licklider shows, military victories in civil wars are more likely than are negotiated settlements to lead to genocide, as was seen in Rwanda and Cambodia. Whether it is worthwhile to increase the probability of mass murder to produce an enduring settlement is a question not easily answered.[30]

[28] Pillar (fn. 27), 25.

[29] Licklider (fn. 3), 681.

[30] Ibid., 687. The pessimism expressed by many regarding negotiated settlements is not completely unqualified. Stedman and Licklider both acknowledge that under the right conditions (for example,

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Why are solutions to internal wars so much more difficult to reach than are solutions to interstate wars? As Licklider notes, in an interstate war both sides can retreat to their own territory. In an internal war members of the opposing sides must live together in the same country, often with the loser being forced to disarm. Further, negotiated settlements of internal wars leave in place groups with the power to challenge the new government's authority whereas military victories over states eliminate potential rivals. Finally, the absence of credible institutions to ensure security, the fear of living alongside an avowed enemy, and the high cost of misplaced trust all impede efforts to bring internal wars to an end (Licklider, 4–5).

Before turning to possible solutions to internal war, an important qualification is in order. The volumes under review and most of the literature in the field are premised on the assumption that armed domestic conflict is an unfortunate development to be avoided at all costs. There is little recognition that the greatest threat to most of the world's people comes not from internal war but from their own leaders, and that violent resistance is often the only way that individuals and groups can free themselves from the murderous tyranny of their governments. According to R. J. Rummel, over 169 million people have been killed by their own governments in this century alone, a figure that dwarfs the 38.5 million killed in international and civil wars during the same period.[31] Nevertheless, rarely is internal war seen in a positive light, as a means of removing intolerable regimes or providing autonomy for repressed peoples. Instead, the focus is on how states can better defeat domestic challenges. Threats to great power interests and to regional stability, as well as the concomitant humanitarian disasters, explain efforts to end internal wars. But this does not justify the assumption that the creation of strong governments capable of ending internal conflict is always the most appropriate goal.

Neorealist Cures

The difficulty of finding solutions for internal wars is that much more problematic when the causes are inadequately identified. This is the case with neorealism, which emphasizes the need to establish a strong central authority as a means of preventing internal wars or stopping them once they have started. But this "cure" raises more questions than

when the outside powers are willing to impose order), negotiated settlements can work. Moreover, there have been too few post–cold war cases to allow for any definitive conclusions regarding the efficacy of negotiations for ending civil conflict.

[31] Rummel, *Death by Government* (New Brunswick, N.J.: Transaction, 1994), chap. 1.

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it answers. First, as discussed above, the establishment of a strong central authority can just as easily provoke internal war as bring about its end. Second, even where a strong central government might be the solution to domestic conflict, how does one establish it? Neorealism provides no directions for building a government powerful enough to overcome problems such as arbitrary borders inherited from colonialism, ethnic strife, the lack of effective institutions to channel conflict, and the absence of a competent bureaucracy.

This is not to suggest that the development of strong governments is impossible. It happened in Western Europe, but only after centuries of civil wars waged over religious disputes, ethnic conflicts, factional fights, and power struggles. Therefore, the prospect of newly emerging post–World War II countries developing in a matter of decades into strong states in which internal war is more or less obviated as a possibility is highly unlikely. All the more so, as Mohammed Ayoob argues, because new states also confront crushing poverty, demands for mass participation, and interference by other powers.[32] The lack of interstate war as a stimulus further inhibits the creation of strong states. As Charles Tilly explains, the states of Western Europe evolved into strong cohesive units only after several centuries of brutal international conflict.[33] Today, states do not need to become stronger to deal with external threats because the international community guarantees their survival.[34] Instead of the strength-enhancing effects of interstate warfare, contemporary states are more likely to experience internal war, which weakens the state by interfering with taxation and undermining government control, thus laying the foundation for future domestic strife.[35]

The neorealist recommendation that states establish strong governments to deter internal war ignores the fact that the very act of creating a powerful central authority often requires internal war. Much of the literature on internal war assumes that armed civil conflict is a pathol-

[32] Ayoob, "The Security Problematic of the Third World," *World Politics* 43 (January 1991). Ayoob focused on the difficulties encountered by Third World leaders in trying to undertake state building and nation building simultaneously, but his pessimistic outlook holds for new states outside the Third World as well.

[33] Tilly, "Reflections on the History of European State Making," in Tilly, ed., *The Formation of National States in Western Europe* (Princeton: Princeton University Press, 1975), 42.

[34] This is a principal argument of Robert Jackson (fn. 11).

[35] Jeffrey Herbst makes these points with regard to Africa. See Herbst, "War and the State in Africa," *International Security* 14 (Spring 1990).

In contrast to Herbst, Bruce Porter argues that civil wars can strengthen states, as seen by the European civil wars in the fifteenth and sixteenth centuries. The key, however, was the existence of a functioning bureaucracy that persisted throughout the conflict. Many of the states afflicted by internal war today have no such bureaucracy. Porter, *War and the Rise of the State: The Military Foundations of Modern Politics* (New York: Free Press, 1994).

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ogy that can be overcome. But this view overlooks the argument that internal war is a natural result of governments extending their power over unruly groups who resist centralized control. Until states accumulate enough power to impose order, it is to be expected that groups within the state will seek to preserve their autonomy by resisting (at times violently) state control. Internal war is especially likely in countries that begin the process of state building with modest amounts of power relative to the groups they seek to govern. Whether the focus is on the European civil wars of the sixteenth and seventeenth centuries or today's conflicts in Central Europe and the Third World, the process of redistributing power from the periphery is often a bloody, long-term affair.[36] In the meantime, for those interested in speeding up the process of establishing a strong central authority, it is necessary to open the "black box" of the state to examine its unique ethnic, cultural, and economic context. The approach of comparative politics is far better suited to this task than is neorealism.

If states cannot establish strong governments on their own, there is always the possibility of outside powers intervening to impose order. Syria's intervention into Lebanon demonstrates what a determined state can accomplish in ending or at least mitigating internal conflict in another country. But as neorealists are quick to point out, most states are not prepared to intervene to stop internal wars in other states. The same international anarchy that permits war between states also permits war within states. At least in the international realm, war making is constrained by the actions of other states that perceive their interests to be threatened. In the domestic sphere, however, there are few conflicts that threaten the important concerns of states powerful enough to affect their outcome. As a result, internal wars are far more numerous and last longer than their international counterparts.

It has not always been the case that internal wars posed little or no threat to the key interests of great powers. During the cold war the superpowers found their strategic interests endangered by several internal wars, hence the American involvement in Korea, Vietnam, Lebanon (1958 and 1983), Nicaragua, and El Salvador; and the Soviet involvement in China, Korea, Vietnam, and Afghanistan, among others. Following the cold war, however, not one of the domestic conflicts has threatened the tangible strategic and economic interests of great powers. Either their impact is largely domestic and humanitarian (Somalia), or they spill over to similarly weak states (for example, as Sudan's civil war

[36] Youssef Cohen, Brian Brown, A. F. K. Organski, "The Paradoxical Nature of State Making: The Violent Creation of Order," *American Political Science Review* 75 (December 1981), 901–10.

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affected Ethiopia) that cannot impose order. That governments often brutally suppress their own people is cause for compassion but, according to most neorealists, does not justify involvement by major powers.

For those few instances of internal war in which outside states become involved, the cures offered by neorealism raise more questions than they answer. Creating ethnically homogenous states in balance with one another begs the questions of what to do with minorities left behind and how to classify those of mixed parentage. Moreover, organizing states according to ethnic criteria creates an international norm that may legitimize and encourage heretofore quiescent minorities to seek statehood and thus contribute to worldwide instability. The faith of neorealists in the peace-inducing effects of the balance of power seems naïve, given the millennia of conflicts that have occurred under this system. Breaking up states into mutually hostile entities may enhance internal peace only at the expense of increased international war.[37] As for giving one side the preponderance of power, this is easier said than done. Civil wars are messy affairs in which picking winners and losers is especially difficult. Even where a clear winner emerges, all too often the victor turns its wrath on the losers with genocidal ferocity. Not many states, especially those in the Western democratic world, would choose to become party to such an outcome.

Most damagingly, as John Stedman's indictment of international action makes clear, the efforts of outside states (and international institutions) to halt internal wars often wind up prolonging them. They do so by transforming wars that would have ended quickly, with one side winning, into protracted stalemates. In 1990 Charles Taylor's National People's Liberation Front was at the point of victory in Liberia. Only the intervention of Nigeria and other West African states under the authority of the Economic Community of West African States (ECOWAS) prevented Taylor from assuming control. As a result, the Liberian civil war stalemated and has continued for six more years, killing some 150,000 people (p. 252). Internationally sponsored cease-fires can also hurt more than they help. Because internal wars often end when it becomes clear that the costs of fighting have become unbearable for the leadership and the fighters, the establishment of cease-fires may delay a settlement by reducing the pain of the conflict. Most internal wars end without a cease-fire precisely because the threat of continued fighting is too much for one side to bear. As Stedman points out, in Zimbabwe,

[37] For criticisms of partition as a solution to internal war, see Radha Kumar, "Partition's Troubled History," *Foreign Affairs* 76 (January–February 1997); and Gidon Gottlieb, "Nations without States," *Foreign Affairs* 73 (May–June 1994).

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Angola, Mozambique, Nicaragua, and El Salvador, negotiations to end the conflict took place in the absence of any cease-fire (p. 353). Moreover, cease-fires that have been established with outside help tend to break down (as was the case in Cambodia, Liberia, and Angola), since enforcing them frequently depends on outsiders who are not willing to pay the price to impose order. Even humanitarian assistance can prolong wars when it serves the fighters and not the innocent civilians, as happened in Bosnia, Rwanda, and Sudan. Before getting involved in the internal wars of others, much less promoting the breakup of states, outside actors might consider taking a version of the Hippocratic oath promising at least not to make things worse.

Leadership-Focused Cures

If the neorealists do not offer much help in solving the problem of internal war, what assistance can one find in Brown's view that bad leaders are the cause of most domestic conflicts? Two broad solutions to internal war follow from his argument. The first is to concentrate on coercing the leaders themselves. The second is to make potential followers less susceptible to the blandishments of their wayward rulers. While either approach may work in specific circumstances, neither offers a general guideline for halting internal conflicts.

Brown himself is understandably uncomfortable when addressing the question of what to do about internal wars driven by bad leaders. As he writes:

> Many internal conflicts are triggered by self-obsessed leaders who will do anything to get and keep power. They often incite ethnic violence of the most horrific kind for their own political ends. If the international community is serious about preventing internal conflicts, it needs to think more carefully about the kinds of political behavior that should be proscribed and the kinds of actions it will be willing to take to steer or seize control of domestic political debates. These are extremely difficult problems, both intellectually and politically, but they have to be confronted if international actors are to prevent the deadliest internal conflicts. (p. 614)

Brown, however, does not confront these problems in any detail, for understandable reasons. Using force against leaders of sovereign states is one of the most sensitive issues in the international arena. Backing coups, undermining regimes, and even assassination are policies that are rarely discussed and even more rarely carried out effectively. The criticism of the American Central Intelligence Agency for its efforts to topple or otherwise intimidate foreign governments during the 1960s

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and 1970s and the more recent failure to overthrow Iraq's Saddam Hussein illustrate the enormous problems of a leadership-centered approach.[38] Brown mentions in passing the possibility of international military forces seizing bad leaders and placing them before international tribunals, but the tremendous difficulties encountered in attempting to capture and try war criminals in the Balkans raises questions about the feasibility of this strategy.[39]

If leaders cannot be gotten at directly, there is always the possibility of impeding their ability to mobilize support. Here the recommendations are on more familiar ground and conform to suggestions offered by many neorealists. Thus, John Mearsheimer and Stephen Van Evera emphasize the need to teach "honest" history in schools, thus dampening the flames of hypernationalism.[40] Brown talks of launching "international information campaigns" and jamming radio and television stations to counteract or block harmful propaganda (p. 614). Even those not in the neorealist camp support efforts to make people less susceptible to the blandishments of their leaders. Jack Snyder and Karen Ballentine emphasize that unconditional freedom of speech can be manipulated by unscrupulous leaders to serve nefarious ends. They urge international patience and understanding for states wracked by internal conflict that seek to impose temporary restraints on speech, at least until democratic institutions have had time to mature.[41]

Few will object to the goal of providing sources of information apart from that of the leadership. The feasibility and effectiveness of such an approach, however, is questionable. It is difficult to imagine that countries threatened by internal war will allow outsiders to come in to revise their textbooks and determine the classroom curriculum. Alternative sources of information are already being sent throughout the world both via traditional means (radio, television) and through newer tech-

[38] For an exhaustive treatment of some of the problems the United States has had in attempting to intimidate (or remove) foreign leaders, see U.S. Congress, Senate, *Hearings before the Select Committee to Study Governmental Operations with Respect to Intelligence Activities*, 94th Cong., 1st Sess., vol. 7, "Covert Action" (Washington, D.C.: GPO, 1975); and *Alleged Assassination Plots Involving Foreign Leaders*, November 20, 1975, Senate Intelligence Committee, Select Committee to Study Government Operations with Respect to Intelligence Activities, 94th Cong., 1st Sess., Senate Report 94–465, 13098–8. On Saddam Hussein, see Yossi Melman, "Why the Plot to Kill Hussein Failed," *Los Angeles Times*, July 21, 1991, 1–2.

[39] On problems of bringing war criminals to justice, see Theodor Meron, "Answering for War Crimes," *Foreign Affairs* 76 (January–February 1997), 2–9.

[40] Van Evera, "Hypotheses on Nationalism and War," *International Security* 18 (Spring 1994), 37; Mearsheimer, "Back to the Future: Instability in Europe after the Cold War," *International Security* 15 (Summer 1990), 56.

[41] Snyder and Ballentine, "Nationalism and the Marketplace of Ideas," *International Security* 21 (Fall 1996), 37–40.

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nologies such as the internet. Whether they will have a peace-inducing impact is another matter. Exposure to international media has done precious little to stifle the flames of hypernationalism in the Balkans and elsewhere. We simply do not know under what conditions, if at all, the dissemination of information will act to constrain the ability of "bad" leaders to garner support.

Recommendations for Future Study

Although the neorealists and Brown have contributed valuable insights into the causes and cures of internal war, much more work needs to be done. As a first step, less emphasis should be laid on searching for generalizations that purport to explain all internal wars. It is simply too diverse a phenomenon to lend itself to parsimonious theory. Better to concentrate on differentiating internal wars by type and seeing what kinds of contingent generalizations can be produced. Categorizing internal wars by origin is a good first start. Chaim Kaufmann's work is a good example of this kind of effort.[42] He distinguishes between internal wars based on ethnic strife (Rwanda, the Balkans) and those fought over ideological issues (Cambodia) and makes the case that outside military intervention can succeed in settling the former type of conflict but not the latter. Other categories can include internal wars whose origins are mass based and those that are elite driven, wars fought for territory as opposed to those over political control, and wars in which outsiders played a major role and those where they did not. Making these distinctions will be difficult and scholars will have to be scrupulous in applying objective criteria over the range of cases. What is lost in parsimony will be made up, one hopes, in better explanations for the very different conflicts that constitute internal war.

The likely impact of protracted internal war on world stability is another area that has received little attention and warrants additional consideration. Russia and China, for example, are far more vulnerable to internal wars than they are to outside attack. More generally, additional research is needed on unintended threats to global stability. Whereas traditionally, states worried about being attacked by other states, now they need to worry about the consequences of internal wars spreading beyond the borders of the countries in which they originated. The threat of a Soviet nuclear strike becomes one of "loose nukes" in a chaotic Russia, fear of an oil embargo is replaced by destruction of oil

[42] Kaufmann (fn. 15), 136–75.

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facilities in a Saudi Arabia wracked by internal conflict, concern for a Warsaw Pact invasion of Western Europe is transformed into concern for an invasion of refugees fleeing civil strife. Much thought is needed about the impact of these and other "nondeterrable" threats to global stability.

Finally, the role and efficacy of international norms in spelling out the responsibilities of states that are not directly affected by internal war needs more attention. The great majority of internal wars do not threaten the security or economic well-being of great powers. But just as the post–cold war world has created space for a focus on internal conflicts, perhaps it will also lay the groundwork for the construction of a postwar interest in stability and regard for human rights that had been mostly ignored in the face of superpower confrontation. How such a norm might emerge and what its impact might be on halting or reducing the spread of internal war are key items for scholars to ponder in the coming years.

Making sense of internal war will be a critical task of the twenty-first century. Neorealism offers some insights into its causes and cures but ultimately falls short, since it is, after all, a theory designed to explain interstate affairs. The literature on internal war takes us further in explaining why such wars occur and what can be done about them, but the field is still very much in its infancy. The task confronting both international relations theorists and specialists in internal wars will be to determine which combination of causes and cures explains the greatest number of cases. The books under review have made a start, especially in their focus on the role of domestic elites, but it is only a beginning. As the post–cold war era unfolds, one would welcome an expanded attention to internal wars that matches the kind of attention that interstate conflict has attracted in the past. Whether that attention will yield useful generalizations on internal war remains to be seen.

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INDEX TO VOLUME 49

Africa, economic reform in, *see* Lewis
After the Wall: Germany, the Germans, and the Burdens of History, by Marc Fisher, reviewed by McAdams, II:282
Against the Odds: Retrenchment in Agriculture in France and the United States, by William D. Coleman, Michael M. Atkinson, and Éric Montpetit, IV:453
Age of Migration: International Population Movements in the Modern World, The, by Stephen Castles and Mark J. Miller, reviewed by Messina, I:130
Agenda for Peace, by Boutros Boutros-Ghali, reviewed by Barnett, IV:526
agriculture in the U.S. and France, policy change in, *see* Coleman, Atkinson, and Montpetit
Ash, Timothy Garton, *In Europe's Name: Germany and the Divided Continent*, reviewed by McAdams, II:282
associationism, *see* Berman
Atkinson, Michael M., William D. Coleman, and Éric Montpetit, Against the Odds: Retrenchment in Agriculture in France and the United States, IV:453

"bad leaders," and internal war, *see* David
Bailey, Michael A., Judith Goldstein, and Barry R. Weingast, The Institutional Roots of American Trade Policy: Politics, Coalitions, and International Trade, III:309
Barnett, Michael N., Bringing in the New World Order: Liberalism, Legitimacy, and the United Nations, IV:526
Berman, Sheri, Civil Society and the Collapse of the Weimar Republic, III:401
Betz, Hans-Georg, *Radical Right-Wing Populism in Western Europe*, reviewed by Messina, I:130
Beyond Borders: West European Migration Policy towards the Twenty-first Century, by Sarah Collinson, reviewed by Messina, I:130
biodiversity, in the U.S. and the U.K., *see* Raustiala
Boutros-Ghali, Boutros, *Agenda for Peace*, reviewed by Barnett, IV:526
Bratton, Michael, and Goran Hyden, eds., *Governance and Politics in Africa*, reviewed by Lewis, I:92
Bringing in the New World Order: Liberalism, Legitimacy, and the United Nations, by Michael N. Barnett, IV:526
Brown, Michael, ed., *The International Dimensions of Internal Conflict*, reviewed by David, IV:552

Callaghy, Thomas M., and John Ravenhill, eds., *Hemmed In: Responses to Africa's Economic Decline*, reviewed by Lewis, I:92
Castles, Stephen, and Mark J. Miller, *Age of Migration: International Population Movements in the Modern World, The*, reviewed by Messina, I:130
China, opposition to cadre misconduct in, *see* O'Brien
Civil Society and the Collapse of the Weimar Republic, by Sheri Berman, III:401
Coleman, William D., Michael M. Atkinson, and Éric Montpetit, Against the Odds: Retrenchment in Agriculture in France and the United States, IV:453
Collier, David, and Steven Levitsky, Democracy with Adjectives: Conceptual Innovation in Comparative Research, III:430
Collier, David, and James Mahoney, Insights and Pitfalls: Selection Bias in Qualitative Research, I:56
Collinson, Sarah, *Beyond Borders: West European Migration Policy towards the Twenty-first Century*, reviewed by Messina, I:130
Commission on Global Governance, *Our Global Neighborhood*, reviewed by Barnett, IV:526
comparative presidentialism, *see* Easter
complexification, based on extreme cases, *see* Collier and Mahoney
Cooperating for Peace, by Gareth Evans, reviewed by Barnett, IV:526

Daedalus 123 (Winter 1994), special issue entitled "Germany in Transition," reviewed by McAdams, II:282
David, Steven R., Internal War: Causes and Cures, IV:552
democracy, subtypes of, *see* Collier and Levitsky
Democracy with Adjectives: Conceptual Innovation in Comparative Research, by David Collier and Steven Levitsky, III:430
democratizing effect of income, *see* Londregan and Poole
Does High Income Promote Democracy? by John B. Londregan and Keith T. Poole, I:1
Domestic Institutions and International Regulatory Cooperation: Comparative Responses to the Convention on Biological Diversity, by Kal Raustiala, IV:482
domestic programs, constraining, through international agreements, *see* Coleman, Atkinson, and Montpetit

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Easter, Gerald, M., Preference for Presidentialism: Postcommunist Regime Change in Russia and the NIS, II:184
Economic Change and Political Liberalization in Sub-Saharan Africa, ed. Jennifer Widner, reviewed by Lewis, I:92
economic development and democratic regimes, relation between, *see* Przeworski and Limongi
Economic Reform and Political Transition in Africa: The Quest for a Politics of Development, by Peter M. Lewis, I:92
Estonia, institutional choice and regime outcome in, *see* Easter
"ethnic revival," in Russia, *see* Treisman
Evans, Gareth, *Cooperating for Peace*, reviewed by Barnett, IV:526

Fisher, Marc, *After the Wall: Germany, the Germans, and the Burdens of History*, reviewed by McAdams, II:282
France, retrenchment in agriculture in, *see* Coleman, Atkinson, and Montpetit

Game Theory and the Spiral Model, by Andrew Kydd, III:371
Gender, Feminism, and Attitudes toward International Conflict: Exploring Relationships with Survey Data from the Middle East, by Mark Tessler and Ina Warriner, II:250
gender studies and international studies, *see* Tessler and Warriner
Germany after Unification: Normal at Last? by A. James McAdams, II:282
Germany and Europe: The Crisis of Unity, by David Marsh, reviewed by McAdams, II:282
Ghana: The Political Economy of Recovery, ed. Donald Rothchild, reviewed by Lewis, I:92
Gibson, Edward L., The Populist Road to Market Reform: Policy and Electoral Coalitions in Mexico and Argentina, III:339
Goldstein, Judith, Michael A.. Bailey, and Barry R. Weingast, The Institutional Roots of American Trade Policy: Politics, Coalitions, and International Trade, III:309
Governance and Politics in Africa, ed. Goran Hyden and Michael Bratton, reviewed by Lewis, I:92

Habermas, Jürgen, *The Past as Future*, reviewed by McAdams, II:282
Hemmed In: Responses to Africa's Economic Decline, ed. Thomas M. Callaghy and John Ravenhill, reviewed by Lewis, I:92
Hollifield, James F., *Immigrants, Markets, and States: The Political Economy of Postwar Europe*, reviewed by Messina, I:130
Human Rights Violations, Umbrella Concepts, and Empirical Analysis, by James M. McCormick and Neil J. Mitchell, IV:510
Hyden, Goran, and Michael Bratton, eds., *Governance and Politics in Africa*, reviewed by Lewis, I:92

Immigrants, Markets, and States: The Political Economy of Postwar Europe, by James F. Hollifield, reviewed by Messina, I:130
immigration, to Western Europe, *see* Messina
In Europe's Name: Germany and the Divided Continent, by Timothy Garton Ash, reviewed by McAdams, II:282
Insights and Pitfalls: Selection Bias in Qualitative Research, by David Collier and James Mahoney, I:56
institutional choice and democratic regime outcomes, causal relationship between, *see* Easter
Institutional Roots of American Trade Policy: Politics, Coalitions, and International Trade, by Michael A. Bailey, Judith Goldstein, and Barry R. Weingast, III:309
Internal War: Causes and Cures, by Steven R. David, IV:552
International Dimensions of Internal Conflict, The, ed. Michael Brown, reviewed by David, IV:552
international relations of the Middle East, *see* Tessler and Warriner

Kydd, Andrew, Game Theory and the Spiral Model, III:371

legitimacy, and the new world order, *see* Barnett
Levitsky, Steven, and David Collier, Democracy with Adjectives: Conceptual Innovation in Comparative Research, III:430
Lewis, Peter M., Economic Reform and Political Transition in Africa: The Quest for a Politics of Development, I:92
liberal international order, *see* Barnett
Licklider, Roy, ed., *Stopping the Killing: How Civil Wars End*, reviewed by David, IV:552
Limits of Citizenship: Migrants and Postnational Membership in Europe, by Yasemin Nuhoğlu Soysal, reviewed by Messina, I:130
Limongi, Fernando, and Adam Przeworski, Modernization: Theories and Facts, II:155
Londregan, John B., and Keith T. Poole, Does High Income Promote Democracy? I:1

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Mahoney, James, and David Collier, Insights and Pitfalls: Selection Bias in Qualitative Research, I:56
Marsh, David, *Germany and Europe: The Crisis of Unity*, reviewed by McAdams, II:282
McAdams, A. James, Germany after Unification: Normal at Last? II:282
McCormick, James M., and Neil J. Mitchell, Human Rights Violations, Umbrella Concepts, and Empirical Analysis, IV:510
Messina, Anthony M., Not So Silent Revolution: Postwar Migration to Western Europe, The, I:130
Miller, Mark J., and Stephen Castles, *Age of Migration: International Population Movements in the Modern World, The*, reviewed by Messina, I:130
Mitchell, Neil J., and James M. McCormick, Human Rights Violations, Umbrella Concepts, and Empirical Analysis, IV:510
Modernization: Theories and Facts, by Adam Przeworski and Fernando Limongi, II:155
modernization theory, *see* Przeworski and Limongi
Montpetit, Éric, William D. Coleman, and Michael M. Atkinson, Against the Odds: Retrenchment in Agriculture in France and the United States, IV:453

neorealism, and internal war, *see* David
"normalcy" in Germany, *see* McAdams
Norway, rightful resistance in, *see* O'Brien
Not So Silent Revolution: Postwar Migration to Western Europe, The, by Anthony M. Messina, I:130

O'Brien, Kevin J., Rightful Resistance, I:31
Olukoshi, Adebayo, ed., *Politics of Structural Adjustment in Nigeria, The*, reviewed by Lewis, I:92
Our Global Neighborhood, by the Commission on Global Governance, reviewed by Barnett, IV:526

Past as Future, The, by Jürgen Habermas, reviewed by McAdams, II:282
Partido Revolucionario Institucional (PRI), *see* Gibson
Peronism, *see* Gibson
Politics of Africa's Economic Recovery, The, by Richard Sandbrook, ed., reviewed by Lewis, I:92
Politics of Structural Adjustment in Nigeria, The, ed. Adebayo Olukoshi, reviewed by Lewis, I:92
Poole, Keith T., and John B. Londregan, Does High Income Promote Democracy? I:1
Populist Road to Market Reform: Policy and Electoral Coalitions in Mexico and Argentina, The, by Edward L. Gibson, III:339
Preference for Presidentialism: Postcommunist Regime Change in Russia and the NIS, by Gerald M. Easter, II:184
presidentialism, *see* Easter
Przeworski, Adam, and Fernando Limongi, Modernization: Theories and Facts, II:155

qualitative analysis, selection bias in, *see* Collier and Mahoney

Radical Right-Wing Populism in Western Europe, by Hans-Georg Betz, reviewed by Messina, I:130
Raustiala, Kal, Domestic Institutions and International Regulatory Cooperation: Comparative Responses to the Convention on Biological Diversity, IV:482
Ravenhill, John, and Thomas M. Callaghy, eds., *Hemmed In: Responses to Africa's Economic Decline*, reviewed by Lewis, I:92
Reciprocal Trade Agreements Act (RTAA), *see* Bailey, Goldstein, and Weingast
Report of the Independent Working Group on the Future of the United Nations, *The United Nations in Its Second Half-Century*, reviewed by Barnett, IV:526
retrenchment in social policy, comparative theory of, *see* Coleman, Atkinson, and Montpetit
Rightful Resistance, by Kevin J. O'Brien, I:31
Rothchild, Donald, ed., *Ghana: The Political Economy of Recovery*, reviewed by Lewis, I:92
Russia's "Ethnic Revival": The Separatist Activism of Regional Leaders in a Postcommunist Order, by Daniel S. Treisman, II:212
Russia, institutional choice and regime outcome in, *see* Easter

Sandbrook, Richard, ed., *Politics of Africa's Economic Recovery, The*, reviewed by Lewis, I:92
selection bias in qualitative analysis, *see* Collier and Mahoney
separatist activism, *see* Treisman
South Africa, rightful resistance in, *see* O'Brien
Soysal, Yasemin Nuhoğlu, *Limits of Citizenship: Migrants and Postnational Membership in Europe*, reviewed by Messina, I:130
state choice in regulatory cooperation, *see* Raustiala
Stopping the Killing: How Civil Wars End, ed. Roy Licklider, reviewed by David, IV:552

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systemic retrenchment strategy, *see* Coleman, Atkinson, and Montpetit

Tessler, Mark, and Ina Warriner, Gender, Feminism, and Attitudes toward International Conflict: Exploring Relationships with Survey Data from the Middle East, II:250
trade policy, U.S., *see* Bailey, Goldstein, and Weingast
Treisman, Daniel S., Russia's "Ethnic Revival": The Separatist Activism of Regional Leaders in a Postcommunist Order, II:212

UN, as an agent of of normative integration, *see* Barnett
United Nations in Its Second Half-Century, The, Report of the Independent Working Group on the Future of the United Nations, reviewed by Barnett, IV:526
United States, agricultural retrenchment in the, *see* Coleman, Atkinson, and Montpetit; biodiversity in the, *see* Raustiala; rightful resistance in the, *see* O'Brien
Uzbekistan, institutional choice and regime outcome in, *see* Easter

Warriner, Ina, and Mark Tessler, Gender, Feminism, and Attitudes toward International Conflict: Exploring Relationships with Survey Data from the Middle East, II:250
Weimar, *see* Berman
Weingast, Barry R., Michael A. Bailey, and Judith Goldstein, The Institutional Roots of American Trade Policy: Politics, Coalitions, and International Trade, III:309
Widner, Jennifer, ed., *Economic Change and Political Liberalization in Sub-Saharan Africa*, reviewed by Lewis, I:92

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CONTENTS

No. 1—October 1996

Does High Income Promote Democracy?	*John B. Londregan* and *Keith T. Poole*	1
Rightful Resistance	*Kevin J. O'Brien*	31
Research Note		
Insights and Pitfalls: Selection Bias in Qualitative Research	*David Collier* and *James Mahoney*	56
Review Articles		
Economic Reform and Political Transition in Africa: The Quest for a Politics of Development	*Peter M. Lewis*	92
The Not So Silent Revolution: Postwar Migration to Western Europe	*Anthony M. Messina*	130

No. 2—January 1997

Modernization: Theories and Facts	*Adam Przeworski* and *Fernando Limongi*	155
Preference for Presidentialism: Postcommunist Regime Change in Russia and the NIS	*Gerald M. Easter*	184
Russia's "Ethnic Revival": The Separatist Activism of Regional Leaders in a Postcommunist Order	*Daniel S. Treisman*	212
Gender, Feminism, and Attitudes toward International Conflict: Exploring Relationships with Survey Data from the Middle East	*Mark Tessler* and *Ina Warriner*	250
Review Article		
Germany after Unification: Normal at Last?	*A. James McAdams*	282

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ELECTRONIC REPRODUCTION PROHIBITED

No. 3—April 1997

The Institutional Roots of American Trade Policy: Politics, Coalitions, and International Trade — *Michael A. Bailey, Judith Goldstein,* and *Barry R. Weingast* 309

The Populist Road to Market Reform: Policy and Electoral Coalitions in Mexico and Argentina — *Edward L. Gibson* 339

Game Theory and the Spiral Model — *Andrew Kydd* 371

Civil Society and the Collapse of the Weimar Republic — *Sheri Berman* 401

Research Note

Democracy with Adjectives: Conceptual Innovation in Comparative Research — *David Collier* and *Steven Levitsky* 430

No. 4—July 1997

Against the Odds: Retrenchment in Agriculture in France and the United States — *William D. Coleman, Michael M. Atkinson,* and *Éric Montpetit* 453

Domestic Institutions and International Regulatory Cooperation: Comparative Responses to the Convention on Biological Diversity — *Kal Raustiala* 482

Research Note

Human Rights Violations, Umbrella Concepts, and Empirical Analysis — *James M. McCormick* and *Neil J. Mitchell* 510

Review Articles

Bringing in the New World Order: Liberalism,Legitimacy, and the United Nations — *Michael N. Barnett* 526

Internal War: Causes and Cures — *Steven R. David* 552

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Report of a Conference Sponsored by the John Foster Dulles Program for the Study of Leadership in International Affairs, Princeton University, and the James A. Baker III Institute for Public Policy, Rice University

FRED I. GREENSTEIN AND WILLIAM C. WOHLFORTH, EDITORS

In March 1996, the Woodrow Wilson School and the James A. Baker III Institute for Public Policy convened a group of key former Soviet and American officials who had been counterparts in the final period of the cold war. The conference offered them the opportunity to discuss how they managed the tumultuous diplomacy during the three years from the accession of President George Bush in January 1989 to the collapse of the Soviet Union in December 1991. Discussions covered the "pause" in relations with the Soviets declared by President Bush in February 1989, the collapse of Communism in Europe in the fall of that year, the new relationship that developed between Bush and Gorbachev at the Malta summit in December, the genesis and management of the "two-plus-four" talks on Germany in early 1990, collaboration between the superpowers against Iraq's occupation of Kuwait, and the dramatic domestic developments in the Soviet Union that culminated in the August 1991 coup and the collapse of the Soviet state four months later.

The former American officials participating in the conference and their official positions in the period under discussion were Secretary of State James A. Baker III; National Security Adviser General Brent Scowcroft; Counselor of the State Department Robert Zoellick; Ambassador to the Soviet Union Jack E. Matlock Jr.; and National Security Council staff member Philip Zelikow. The former Soviet participants were Foreign Minister Alexandr Bessmertnykh; Anatoly S. Chernyaev, personal adviser on foreign affairs to General Secretary and President Mikhail Gorbachev; Sergei Tarasenko, principal foreign policy assistant to Foreign Minister Eduard Shevardnadze; and Pavel Palazchenko, special assistant and interpreter to President Gorbachev.

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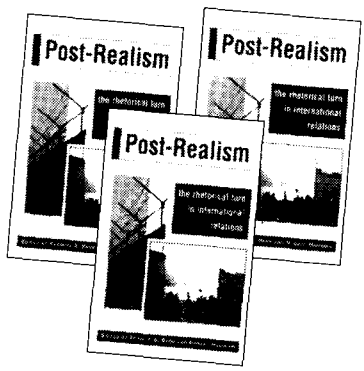

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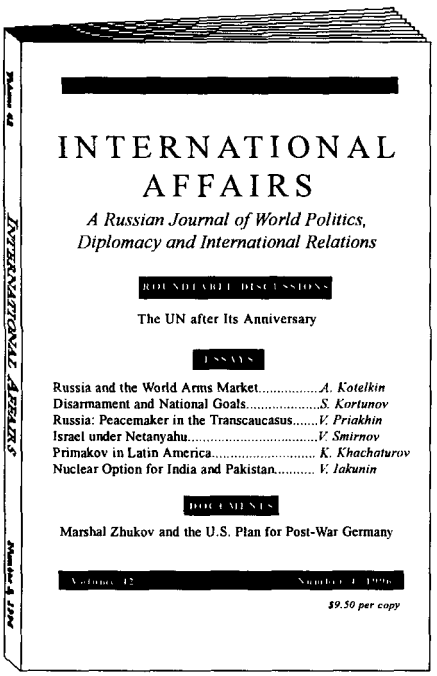

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Akira Iriye

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